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SOUTHEAST ALASKA
FEDERAL SUBSISTENCE REGIONAL
ADVISORY COUNCIL

October 28, 1999

9:00 a.m.

Taken at:
Angoon Community Center
Angoon, Alaska

Reported by:
Sandra M. Mierop, CSR, RPR, CRR

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1 OCTOBER 28, 1999

2 MR. THOMAS: Good morning, boys and
3 girls.

4 Okay. A couple of things. We got a
5 couple of people or maybe more that need to travel
6 today, so we're going to make some adjustments to
7 allow them to -- to do what they came to do. We've
8 got one member here that just has a special interest
9 on part of the agenda. She could care less about
10 the rest of the agenda, but I'm not going to mention
11 any names; but -- so we're going to make those
12 adjustments. But before we do that, we went over a
13 lot of information yesterday; and if anybody --
14 if -- if anything has come to mind since our
15 discussions yesterday and you would like to point
16 them out, you can take this time to do that. You'll
17 also have other opportunities through the course of
18 the day. I just want you to keep that in mind.
19 We're not going to leave here without hearing what
20 everybody has to say.

21 Dolly?

22 MS. GARZA: Yes, Mr. Chairman, I had
23 some thoughts and discussion regarding the compacts,
24 contracts, and the -- what was the other C word?

25 MR. KNAUER: Cooperative agreements.

 MS. GARZA: And for Southeast it
seems that the majority of the work would be done
with the Forest Services, and we're wondering if we
can create some kind of dialogue with perhaps the
Council or Dave Johnson; or I'm not sure who the
person would be to try to start funneling some ideas
on what kind of projects can be started that can be
funded through this process. Because, I'm afraid if
we don't start that process now, we won't get
anything started until at least 2001. And I think
there are communities that know where monitoring
would be beneficial. They could probably sit down
and talk to Dave now.

 MR. THOMAS: I think what we'll do
is -- what we typically do is that's what we use our
coordinator for, being a Forest Service employee;
and he just said he'd be more than willing to do
that.

 MS. GARZA: Okay.

 MR. THOMAS: And, so, he will
incorporate the two people that you mentioned; but
he'll just be part of that process, okay?

 MS. GARZA: Can we also have Dave and
Nels, if they have opportunity to contact us, keep
us up with what's going on if we can be involved?

1 MR. THOMAS: I was trying not to
include Sitka, but I guess we can do that.

2 MR. CLARK: We've already been trying
to get something like that done.

3 MS. GARZA: Thank you, Mr. Chairman.
Also, Vicki LeCornu has a sinus
4 infection; and she woke up with it this morning
serious, so she's taking a break; and hopefully
5 she'll be here in a bit.

 MR. THOMAS: I was there when she had
6 that problem.

 This concept that you just shared,
7 Dolly, as it develops, I think different things will
be recognized, advantages and disadvantages that can
8 go along with that, okay?

 MR. JOHNSON: Mr. Chairman, Dolly,
9 this week following this meeting we were planning to
have a townhouse meeting with the tribes in
10 coordination with Millie and Vicki for the island.
We didn't know what was going to come out of the
11 meeting, but we knew that the tribes had been asking
questions about what is their role and relationship
12 now to the Council and to the Federal programs; so
this can be one of the things that can be an agenda
13 item.

 MR. CLARK: Mr. Chairman, I might
14 just add from the Federal Subsistence Board side,
we've also started inquiries directly with tribes
15 with the help of Larry and James and Dave and some
other folks, in particular, to develop what kind of
16 projects the tribes may be able to do under the
Federal Subsistence program in fisheries.

17 MS. GARZA: Well, I guess my concern
is in sitting on the Alaska Sea Otter Commission --
18 and Harold knows this -- for the MOU it took us like
two-and-a-half years to get a two-and-a-half page
19 document; and we fought almost word by word, so I'm
real anxious to start the process; because I would
20 hate to -- although I love Federal management, I
don't like Federal bureaucracy -- for that process
21 to stop any of us from being involved with
monitoring.

22 MR. THOMAS: Well, the chair may
reconsider that request after that last
23 clarification.

 Thank you, Dolly. Anybody else have
24 any observations or reactions to yesterday's
agenda? There was a lot of information shared
25 yesterday and a lot of -- a lot of reactions and
responses, which are really good. And, like I said,

1 we're going to move on now; but later on you'll have
2 opportunities to bring those up if they come to
3 mind.

4 MR. ADAMS: Mr. Chairman, I have some
5 comments I would like to have an opportunity to
6 present at this time. It will take about eight
7 hours.

8 MR. THOMAS: Okay.

9 MR. ADAMS: Otherwise, if you have
10 any objections to that, I'll wait for Dolly to take
11 over as chair. She's allowed me some time.

12 MR. THOMAS: No objection, because I
13 think the --

14 MR. ADAMS: I'll take about five
15 minutes of your time right now, though.

16 First off, I'd like to introduce
17 myself as my Tlingit name. My Tlingit name is
18 Kadashan. I was named by my grandmother, Elizabeth
19 Kadashan James from Sitka. She named me after her
20 father who is John Kadashan from Wrangell. James
21 Kadashan was a friend to naturalist John Muir. It
22 was Kadashan and Sitka Charlie that guided John Muir
23 up the inside passage all the way up to Glacier
24 Bay.

25 John Muir might be credited for
discovering Glacier Bay, but now we can be, too.

MS. LAUBENSTEIN: Can you spell your
Tlingit name?

MR. ADAMS: K-a-d-a-s-h-a-n. My
other name was Naat'Keek; that was given to me by my
grandmother on my mother's side of the family, and
he was a builder of a boulder house. It was moved
several times in the Yakutat area. First it was
built on the Akwe River in a place called Cusaik,
and it was moved over to Dry Bay area; and then my
grandmother's brother, Natske, whom she named me
after, moved it again on the Johnson Slough where
the old landing is next to the Setak River. Later
on it was built quite a ways up on the Setak River.
Later on, in the early part of the century, I guess,
it was rebuilt in the Yakutat area in the old
village. I'm a -- I'm the member of the boulder
tribe, and I come from the boulder house.

Several years ago I was reading an
article in the U.S. News and World Report. It was
entitled "\$10 billion for dinner, please." It
stated that this earth is capable of producing for a
population of at least 80 billion people, 88 times
the 10 billion people who are expected to inhabit
the earth by the year 2550. Other studies, with

1 scientific methods, the earth could feed 1,000
2 billion people. So why do we have famine in the
land today?

3 Sometime I was watching a learning
4 program on The Learning Channel. I get up real
early in the morning, 4:00 o'clock in the morning.
5 I do a lot of writing, and I sometimes turn on the
television. I came upon this program where a law
6 professor from the university was giving a lecture
on the reason why basic needs in the world weren't
7 being met, food, shelter, and clothing. Electricity
produces enough ability to produce food for
8 everyone. And he concluded the reason there is
famine in the world is because of government
9 policy. Most important issues we ought to be
concerned with which will guarantee us all basic
10 needs in our lives are basic principles that all
mankind has striven for since the recorded history
of the human race. These are freedoms, prosperity,
and peace.

11 Before we can enjoy prosperity,
12 before we can have peace, we must have freedom. And
when freedom falls, famine follows.

13 When I was going to college, I took a
class in Indian ed; and our professor was a Native
American named Howard Ranier, and the first day of
14 class he drew a circle on the board; and in the
circle he put the word "nature." On the outside of
15 the circle he pointed arrows to the circle. Then he
explained to us that many, many years ago the Native
16 American people lived within that circle. They
lived with nature, he said. We knew the -- we knew
17 what the natural laws were; so we were able to live
in peace and prosperity, one with another.

18 Then he showed that those arrows that
were pointing toward the outside of the circle was
19 the outside influences that eventually came upon the
Native American people; and their purpose was to
20 conquer, to come in and conquer. When they
eventually did, it caused this culture clash that
21 has been vibrating through Indian country ever since
then. I think that the greatest challenge that we
22 as a people have, whether we are Native American or
non-Native, and I think people of the world, is for
23 us to learn how to live within that circle again, to
live one with nature. I'm sure that as we do so, as
24 we learn that process, then we will become
prosperous. We'll enjoy freedoms. We will have
25 peace within ourselves.

I'm also a constitutionalist. I'd

1 like to share with you a concept or two that's taken
2 out of the Declaration of Independence. It says
3 that we are all created equal in the eyes of the
4 Creator. And we are endowed with certain
5 unalienable rights. The rights are the protection
6 of our lives, our liberties and to guarantee us our
7 pursuit of happiness. I don't think that we as
8 Native Americans or non-Natives or any type of
9 society within the United States are created equal
10 socially. I don't think that we are created equal
11 politically, nor are we created equal economically.
12 I think what that phrase says, that we're all
13 created equal, is the fact that we all have equal
14 opportunity to become equal in whatever way
15 possible, economically, socially, and politically.
16 It's up to us as individuals. It's up to us as
17 groups whether it be Native or non-Native. It's up
18 to us as organizations to work toward making
19 ourselves prosperous. It's up to us to be able to
20 keep those freedoms that this country has guaranteed
21 to us. When that happens, we can feel peace in our
22 lives.

12 Those unalienable rights that the
13 Declaration also addressed are things that I heard
14 come from statements that were made yesterday and
15 that they call that inherent rights. An unalienable
16 right -- I had a hard time learning to pronounce it
17 when I was growing up. I still have a problem with
18 that. To me, it's a natural right; and another
19 definition is that it's a God-given right. Whether
20 it's a natural right or whether it is a God-given
21 right still means the same thing to me. These
22 things that the government is supposed to do for us,
23 supposed to protect our lives, supposed to protect
24 our liberties; and it's supposed to guarantee us our
25 pursuit of happiness, cannot be taken away from us.
Mark Jacobs made that statement very clear to us.
Because it is a natural right, God-given right, no
government or government entity has the power or the
authority to take those away from us. When we start
analyzing that pursuit of excellence part in that
statement, we look at the fact that we need to
have -- in order to have happiness, we need to have
freedom. We need to have prosperity in our lives.
In order for that to happen, we have to have jobs.
I think that Subsistence is -- plays a very
important part in that phrase. Some people have
jobs to provide for their families. We as Native
Americans have this issue of Subsistence or
traditional use to sustain our families and other

1 lives. That, too, to me is a God-given right. It
2 is a natural right that we all enjoy. No government
or government entity has the power or the authority
to take that away from us.

3 We can argue in the courts, and we
4 can try to legislate it; but as Mark Jacob said, it
cannot be legislated. It's a natural inborn right
that we all enjoy and have. So, as we go through
5 these new regulations the rest of this day, I want
you to know that these are the things going through
6 my mind; and I'm going to go through the sound
principles that I will be making my decisions on.
7 Tribal government is a natural right that we all
have.

8 I've been reading this book on Indian
policy that came out -- I think it was around 1977.
9 It's a real thick book, but they understood what it
all meant for Native -- for tribal governments to
10 have the power. When you consider the fact that
this country was built upon some very sound
11 principles -- I'd like to share with you another
little thing. I wasn't going to do this until
12 later, but I think it's appropriate.

Did you know that the Constitution of
13 the United States, many of its concepts were
patterned after the six confederate tribes of the
14 Iroquois nations? Jefferson, Washington, Adams,
Madison, all of the founders of this great nation
15 became friends of these tribes; and they learned
their social structure. They learned their
16 language. They learned their forms of government.
The idea of a representative form of government came
17 from these people. State's rights came from these
people. Women's suffrage came from these people.

18 They had a structure that is similar
to a Senate, the House of Representatives, and the
19 executive branch. When these people became
acquainted with the Founding Fathers, they shared
20 these things with them when the Constitution was
formed, many of these precepts were modeled after
21 the structure of government that these Indian tribes
had --

22 MR. THOMAS: Bert, your five minutes
is up.

23 MR. ADAMS: Thank you. Let me say --
24 finish by saying that we still have a great amount
of influence to share. I want to share that with
you so that we as a people can have pride in the
25 fact that we can make things different.

Another thing -- just one second.

1 Another thing that the Declaration says is that when
2 the government fails to do these things, it is up to
3 us as the American people to abolish or alter the
4 government, start up a new one that is based on the
5 very same principles; and that is protection of our
6 lives, our liberties, and to guarantee us our
7 pursuit of happiness. I don't think we need to
8 abolish the government, but I think we have a lot of
9 altering that we can do.

Thank you, Mr. Chairman.

10 MR. THOMAS: Thank you.

Patty, are you ready?

11 MS. PHILLIPS: If you are.

12 MR. THOMAS: Okay. Patty would like
13 to discuss the annual reports. Was it annual
14 reports?

15 MS. PHILLIPS: Yes. I asked Chairman
16 Thomas to bring up the annual reports because I've
17 got to leave on the last afternoon flight.

MR. THOMAS: What tab is that?

18 MS. PHILLIPS: Tab G. I was
19 mentioning this to Vicki yesterday, and she said she
20 had comments on the annual report; so I can wait
21 until later in the morning. I'd rather wait until
22 later in the morning.

23 MR. THOMAS: Hoping that she'll be
24 here. What if she doesn't show up?

25 MS. PHILLIPS: I've got to go at
2:30.

MR. THOMAS: You're keeping me off
balance. It was urgent last night and urgent this
morning.

17 Harold, are you ready? We'll hear
18 from Harold Martin. Harold also has a possible
19 conflict. He's got an emergency in his family. So
20 we'll let him do his part now, and that will leave
21 him with the flexibility of choosing a time to
22 travel. Harold, you're on.

23 MR. MARTIN: Thank you, Mr. Chairman.

24 MS. LAUBENSTEIN: Mr. Chairman, when
25 we finish, can we take a break to get the projector
up so people can read the proceedings?

26 MR. THOMAS: We'll take a break.

27 MS. LAUBENSTEIN: He's all ready to
28 go.

29 MR. THOMAS: He's flexible. He wants
30 people to see what he's got to say.

31 MS. LAUBENSTEIN: It won't take very
32 long, three to five minutes.

MR. THOMAS: We'll take a three- to

1 five-minute break.

(Break.)

2 MR. THOMAS: Okay. Thank you for
your flexibility.

3 MR. MARTIN: Mr. Chairman, members of
the Council, thank you for this opportunity to speak
4 before you. My name is Harold Martin, H-a-r-o-l-d
M-a-r-t-i-n.

5 I am the Subsistence Director for the
Central Council Tlingit/Haida Tribes of Alaska. I
6 am also the president of the Southeast Native
Subsistence Commission. The Commission is an
7 affiliate of the Central Council, and it was
sanctioned by the four largest Native organizations
8 in the Southeast: The Central Council Haida, which
is a Federally recognized tribe; the Alaska Native
9 Brotherhood and Sisterhood Grand Camps, which are
the oldest Native organizations in the United States
10 with approximately 36 camps between Washington and
California; and the Sealaska Corporation, which is
11 an ANCSA corporation with over 19,000 shareholders.
The Central Council defers and yields all
12 Subsistence and fisheries issues to the Southeast
Native Subsistence Commission.

13 As a director and chairman, I serve
as a representative on several statewide Subsistence
14 organizations and chair a few of them. I will
provide you with an overview of some of our
15 activities in the various organizations. We all
know what happened at the special legislative
16 session on Subsistence. On the way to the
Legislature and to the State fishery -- handing the
17 State Subsistence management to the Federal
Government, the legislature took the opportunity to
18 override a couple of the Governor's vetoes. First,
they made it easier to shoot rolls from airplanes;
19 then they made it easier to buy machine guns. For a
while I thought the priority would be to shoot
20 wolves from airplanes with machine guns.

Alaska Native Harbor Seal Commission,
21 I serve as the a representative on and also chair
the Alaska Native Harbor Seal Commission. The
22 commission members are made up of coastal
communities from Southeast to Bristol Bay. There
23 are 18 members -- member communities on the board of
seven commissioners. We administer several programs
24 for bio sampling which extends from the Southeast to
the Aleutians view area watch, which involves
25 students in bio sampling and seal samples and
protocols. We are initiating a contaminant study on

1 seals that are shot but contaminated externally or
internally. Usually these seals are thrown away or
2 left on the beach to rot away. We have placed six
in various communities in the Southeast. This
3 project is being carried out with the Alaska
Department of Fish & Game, Wildlife Department, and
4 the Alaska Fisheries. The highlight of our recent
accomplishments was that of citing a co-management
5 agreement with the National Marine Fisheries Service
on April 29, 1999 in Yakutat, Alaska. The purpose
6 of this agreement is to develop an operational
structure for the conservation and management of
7 harbor seals in Alaska. The agreement allows the
Commission to share management of harbor seals
8 through an accord to conserve seal populations and
meet Subsistence needs. The Agency and Commission
9 are charged to annually produce a conservation
action plan to promote the health of seals and to
10 protect the culture of Alaska Natives who rely on
them for Subsistence. Scientific research that
11 includes traditional knowledge will be promoted, and
efforts will be made to resolve management
12 conflicts. The action plan includes sections on
population monitoring, harvest monitoring,
13 education, research recommendations, and other
recommendations.

14 The agreement is the first to be
cited between the National Marine Fishery Service
15 and Alaska Native Organization since the 1994
amendments of the Marine Mammal Protection Act which
16 provided the authority for the National Marine
Fishery Service to enter into cooperative agreements
17 with Alaska Native Organizations.

The agreement was a culmination of 18
18 months of meetings and negotiations. Harbor seal
populations in the Southeast are healthy. Seal
19 populations are on the increase in the Prince
William Sound area and the Gulf of Alaska.
20 Ironically, declining trends of harbor seals have
been protected in the only area of Alaska where
21 Subsistence hunting of seals is prohibited, based on
research done by Elizabeth Matthews, University of
22 Alaska Southeast, and Dave Marmaroff, Alaska
Department of Conservation. Numbers of seal on
23 glacial ice and terrestrial land in Glacier Bay have
been detected between 1992 and 1998.

24 While causes for the decline are not
known, human disturbance appears to be at least one
25 factor at the terrestrial sites. These recently
documented declines in Glacier Bay are cause for

1 concern.

2 I also serve on the Migratory Bird
3 Working Group. I reported to you last spring in
4 Sitka that the working group had been successful in
5 winning amendments to the migratory bird treaties
6 with Canada and Mexico and ratified by the Senate on
7 October 23rd, 1997. The treaty amendments authorize
8 the Fish & Wildlife Service to open a legal
9 regulated spring and summer Subsistence harvest of
10 migratory birds in Alaska. In other words, it
11 legalizes spring hunts for birds by Natives in
12 northern communities, something they were already
13 doing.

14 Currently, the Native Migratory Bird
15 Working Group, Alaska Department of Fish & Game, and
16 the U.S. Fish & Wildlife Services are working
17 cooperatively to develop regional management
18 bodies. Based on public forums in line in rural
19 Alaska communities during 1998 and 1999, the service
20 came up with four options for management bodies.
21 The working group feels that funding for 12
22 management bodies would be prohibitive so are
23 considering an option which calls for seven
24 management bodies.

25 Because we do not participate in
spring hunts in the Southeast for migratory birds,
we are referred to as excluded areas and are in the
Copper -- and are in with the Copper River, Chugach,
and Southeast regions. This would be considered one
region. A final proposal was voted on at our last
teleconference and will be submitted to the U.S.
Fish & Wildlife Service and Alaska Department of
Fish & Game.

Southeast does not participate in the
spring hunts of migratory birds; however, we do
participate in -- we did legalize the harvest of
seagull eggs and duck eggs; and this also is true
for Chugach and Copper River.

I turned the Alaska -- I joined the
Alaska Native Halibut Working Group; this might be
an issue for discussion by the Council. The group
is working to have halibut recognized as a
Subsistence resource. Although we invented the
halibut hook, halibut is not recognized as a
Subsistence resource. There is no shortage of
historical documentation of uses of halibut by
Alaska Natives. They should begin with almost
simultaneous incidents involving halibut. One area
in Southeast and one in Western Alaska.

Here in Angoon, three local residents

1 were cited by the State for catching halibut. The
2 three men were unemployed, and one was handicapped.
3 In Western Alaska a fisherman was cited for bringing
4 home halibut for consumption. The proposal from the
5 Angoon Community Council was submitted to the
6 Central Council calling for recognition of halibut
7 as a Subsistence resource. The resolution went out
8 to the International Halibut Commission and our
9 Congressional delegation.

10 Senator Stevens forwarded the
11 resolution to the North Pacific Management Council
12 along with a letter, and the North Pacific Fisheries
13 Management Council notified us that such a council
14 had the statutory authority to declare halibut as a
15 Subsistence resource. We followed up on this
16 opportunity and organized a working group.

17 We have appeared and testified before
18 the North Pacific Fisheries Management Council twice
19 and came up with draft Subsistence regulations and
20 submitted them to the Council for consideration.

21 We have postponed final determination
22 for the past two years in respect to the State.
23 First, pending what came out of the Governor's Task
24 Force on Subsistence; and, second, pending what came
25 out of the Legislature. We all know what happened
in those two years. Nothing.

As regulations we proposed under
definition of eligibility members of Alaska
Federally recognized tribes with customary and
traditional use of halibut. Under legal gear we
proposed one state of gear with up to 60 hooks --
with up to 60 hooks. It doesn't say "with 60
hooks."

Minimum size: No minimum size shall
be imposed for Subsistence harvest of halibut.
Allow the customary and traditional trade of
Subsistence halibut. We voted on subsection --
sub-option A which allowed the customary and
traditional trade of Subsistence-caught halibut.
Sale of Subsistence halibut -- we want to prohibit
the commercial sale of Subsistence-caught halibut.

I believe also we inserted -- we
borrowed a phrase from the Migratory Bird Treaty Act
allowing former members of the community to come
back to their respective communities to participate
in halibut fisheries.

Matt Kookesh and Ted Barbage served
on this halibut working group. Is Matt here?

Matt, do you remember anything more
about the proposed regulations?

1 MR. KOOKESH: The only thing I can
2 add probably is that where these regulations came
3 from, the regulations came from a citation to Johnny
4 Hunter and Christian Mahuna and Kenny Hunter; and
5 they got caught with an escape net, 66 hooks on it,
6 the Judge ruled that it was a reasonable opportunity
7 with that gear, and they weren't cited.

8 MR. MARTIN: Thank you.

9 We will resume the issue in summary.
10 I have already written to the Lower Pacific
11 Fisheries Management Council, and I've asked to be
12 included on their agenda. The Angoon case was
13 litigated by the Alaska Legal Services. The judge
14 ruled in favor of the three local men and threw the
15 case out, stating that the -- that fishing for
16 halibut with the escapes for Subsistence purposes is
17 a reasonable opportunity. He also stated that
18 fishing with hooks is not a reasonable opportunity.
19 The State did not appeal the case.

20 I'm not sure what kind of precedent
21 this sets, but I wouldn't go out setting escapes
22 just yet.

23 On behalf of the Southeast Native
24 Subsistence Commission, I would ask this Council to,
25 again, provide a letter or resolution asking the
North Pacific Management Council to consider the
regulations for adoption. We have done this once
before, and I would ask this again.

Under special forest products, we are
working on a management plan. We all know that
plans and routes are important as a Subsistence
resource for Southeast Natives.

There have been moves by special
interest groups to commercialize certain roots and
plants. In both cases, we have claimed intellectual
property rights in stopping two proposals.
Intellectual property rights meaning that Natives
have always known about the medicinal and spiritual
value of plants and roots, but have never made a
move to commercialize or profit from marketing our
knowledge. There is a draft management plan that we
will be meeting on during the first week of
November.

Several communities will be involved
along with the Forest Service.

The Southeast Native Subsistence
Commission is also involved in documenting in Sitka
place names. We received a grant from the National
Parks Service Historical Preservation Funds. This
project has gone in three phases. We completed

1 phase 1 and 2. We presented the Tlingit place names
2 database and CD-ROM to the Angoon tribal government
3 last fall. People have asked why are we involved in
4 documenting place names. Place names are linguistic
5 artifacts. When you think about it seriously, the
6 land is the very basis of Subsistence. We are
7 currently working on Phase 3, which includes
8 Hydaburg, Juneau, Douglas, Wrangell, Petersburg, and
9 Skagway. We provided databases, maps; and recently
we developed a CD-ROM which you insert into a
computer, and it brings up the map in a computer;
and you point to a certain name, and it pronounces
the name the right way; and you go down further, it
gives the interpretation; and it goes into the clan
background. We have one for Angoon and one for Kake
so far. We're going to be working on providing
CD-ROMs for all the communities.

We're also involved in developing
technical and ecological knowledge. We've commented
on local knowledge. There is a project that came
out of the ANB convention in Yakutat several years
ago and was kept alive by Mr. Fred Clark. There
will be a conference in Ketchikan tentatively in
March. We are working with the Forest Service and
several other communities. The purpose -- the
purpose is to research ways of integrating
traditional knowledge with western science. We're
involved in a Central Council research on the Haines
fuel terminal. The Central Council received a
Department of Defense grant that is being
administered by the environmental department.

I was charged to research on how the
fuel terminal is affecting Subsistence in the area
which is where the tank farm is located. I have
documented Subsistence before the tank farm, during
the tank farm, and after the tank farm. I've
interviewed at least ten Elders. We taped --
videoed these interviews. The tapes have been
transcribed and are currently being put into report
form.

This is a small part of the big
research on the effects of military installations.

Indigenous people's council for
indigenous -- for mammals, I'm on the council. I'm
one of the founders and past president. Al -- Dolly
Garza is the current president. We are preparing
for the upcoming of the reauthorizing of the
Protection Act of 1972. A reorganization plan has
been appointed and several amendments are being
considered. I believe Dolly sits on this

1 committee. Alaska Sea Otter Commission, I gave up
2 my commission on the Alaska Sea Otter Commission.
3 I've appointed George Ramos to replace me on the
4 commission. I've toyed with the idea of retirement
5 and will be phasing myself out of the various
6 Subsistence organizations during the coming years.

7 I also serve as the appointed chair
8 of the fisheries committee with Alaska Natives Grand
9 Camp. On Federal takeover, we've always maintained
10 that we would like to see management of Subsistence
11 fisheries returned to the State, but not at the
12 expense of our culture. I stated before to this
13 Board that I felt that the Federal Government has
14 been good to Native people of Alaska for several
15 reasons. First, the Federal Government recognizes
16 tribal governments. They have a trust/
17 responsibility to Natives and negotiate on a
18 government-to-government basis. Second, they've
19 enacted the Marine Mammal Protection Act which
20 exempts Natives. Recently they've amended the
21 Migratory Bird Treaty and ANILCA and also the
22 recognition of co-management by Federal agencies.

23 We feel also that nonSubsistence
24 areas are in violation of ANILCA. Our feeling is
25 that when -- when Subsistence is shut down for any
reason in the villages, the people in urban areas
will continue to sports fish, crab fish, take their
charter boats out. I believe Mark Jacobs can
elaborate more on this. I believe it is unfair to
judge the Federal management practices during the
fish trap area. The Federal Government, in my
opinion and personal observation, has done a -- has
gotten a lot more sophisticated.

We're involved in several other
things. I'll cut it off here, gun nux cheesh. If
there's anything else you'd like me to answer.

MR. THOMAS: Thank you, Harold.

MR. ADAMS: Mr. Chairman, I have a
couple of questions.

MS. PHILLIPS: Harold, you said you
would be meeting with the North Pacific Management
Council?

MR. MARTIN: In December. We've
asked to be placed on their agenda. We cooperated
with them for the last two years and put off our
voting. At one time -- the first year we felt we
had to vote within the Council to adopt their
regulations. The second year was kind of iffy
because of the Subsistence situation. But this year
we'll vote.

1 MR. THOMAS: Bert?

2 MR. ADAMS: Yeah, I've heard this
before, and I haven't really kept up on it; but I'm
curious as to why halibut hasn't been recognized as
3 a Subsistence resource.

4 MR. MARTIN: Halibut?

MR. ADAMS: Yeah.

5 MR. MARTIN: I'm not sure. I found
out when we went to work on it. I believe it's the
State that doesn't recognize the halibut as -- as a
6 Subsistence resource.

Calvin, do you have anything on
7 that?

8 MR. CASIPIT: Well, halibut is
recognized in the areas where we have jurisdiction
in marine waters; but since we don't have
9 jurisdiction in the marine waters in Southeast right
now, it's not part of our program in Southeast.

10 MR. SCHWAN: Mr. Chairman, I just
think --

11 MR. THOMAS: You've got to come to
the table and tell us who you are for the record.

12 MR. SCHWAN: Thank you, Mr. Chairman,
Mark Schwan, fish and game, sport fish.

13 MR. THOMAS: Spell your name.

MR. SCHWAN: S-c-h-w-a-n.

14 MR. THOMAS: Thank you.

MR. SCHWAN: I'm not a halibut
15 management expert, but I think the State really
doesn't have management authority on halibut and the
16 Halibut Commission only until the mid-'70s
recognized the sport fishery; and they never
17 recognized, I believe, the Subsistence fishery. So
the State, I think all it can do is really establish
18 an opportunity; but it's no more liberal than what
the Halibut Commission has allowed, so they
19 recognize the sport fishery of two fish any size per
day, in possession. The State has personal use
20 regulations that allow the same, but you can use an
attended hand gleaned escape and no more than two
21 hooks, the same thing with Subsistence fishery,
where if you're in the area with marine waters that
22 are considered Subsistence waters you can do it
without the sport fishing license requirement; but
23 still, you can use an unattended lines with a buoy,
but no more than two hooks; but the State has
24 regulations that make rules in terms of opportunity,
methods, and means, and license opportunities; but
25 the harvest opportunity is constant, two fish per
day. That's the best the State can do, as I

1 understand it.

MR. THOMAS: Thank you.

2 He just said he's not an expert on
it. He made some pronouncements.

3 MS. GARZA: One other clarification,
it certainly is a subject that needs some serious
4 research because my husband is from Canada; and in
Canada IPHC recognizes food fish harvest, which is
5 the Canadian version of Subsistence. So IPHC allows
the Canadian Natives to take large, large volumes
6 for their traditional customary uses. Then you have
warning where you have Natives taking large amounts
7 of halibut. It's only Alaska somehow or another
that got dropped out of this loop. So, we need to
8 go back to 1910 or whenever the IPHC was created and
figure out what happened there; because if you look
9 at the big picture, it's only Alaska Natives who
have been denied this opportunity.

10 MR. THOMAS: Thank you.

Thank you, Dolly.

11 MR. MARTIN: I stated also that we
proposed one state -- I believe it's up to 1200
12 feet -- up to 60 feet. The reason we brought this
forward is I believe people like to fish all their
13 halibut all at once. I mean, you know, it's not
economically feasible to go out day after day with
14 two hooks. I mean, it costs a lot of money to get
out to where the halibut are; and halibut are taken
15 in early spring when they're good and lean; that's
when Natives like to smoke their halibut; it doesn't
16 have a large fat content.

And Natives are self-regulating and
17 self-limiting. When Natives get their limit or as
much as they want, that's the end of it. The
18 proponents -- we did have somebody from the outdoor
council testify against halibut as a Subsistence
19 resource; and Phillips was chairman of the House at
the time, Speaker of the House at the time, brought
20 a proposal from the Legislature opposing these
regulations. There are people up north who would
21 rather fish with two hooks. That's one reason we
stated with a line up to 60 hooks. You don't have
22 to use 60 hooks. The North Pacific Fisheries
Management Council is receptive to these proposed
23 regulations, so I don't foresee any problems. When
we get -- when we win this one, we might not know
24 about the -- king salmon is also not recognized as a
Subsistence resource. When we get through with
25 this, we're going to start working on king salmon.

Any other questions?

1 MR. THOMAS: Further questions for
Harold?

2 MR. ADAMS: I understand that Matt
might have some comments to make on this issue.

3 MR. THOMAS: Marilyn?

4 MS. WILSON: I wanted to ask if it
would help to have a resolution from this council
for the national marine --

5 MR. MARTIN: I did make that
request.

6 MS. WILSON: North Pacific Fisheries
when you decide on halibut as a Subsistence.

7 MR. MARTIN: I did make that
request.

8 Matt, did you have something to add?

9 MR. KOOKESH: Do I have to come up
here?

10 MR. THOMAS: I want to know how Bert
knew you had comments and I didn't.

11 MR. KOOKESH: Do I have to spell my
name? K-o-o-k-e-s-h, Matt. The question was asked
12 about why halibut hasn't been recognized as a
Subsistence resource. It all starts back in 1938
13 when there was a report done by Roger Shute, who is
a -- worked for the Federal Government. His report
14 was so good that it was not published because what
it did is it recognized the aboriginal fisheries
15 more than it recognized the commercial fisheries,
and that report also documented that the Native
16 people were the first to commercial fish. And the
next process was -- it was all a Catch-22, and it
17 started in 1982. There's a halibut act. It didn't
recognize Alaska Natives in that act. That needs to
18 be amended. It recognized the Canadian Subsistence,
and then the Catch-22 started with the North Pacific
19 Management Council and the IPHC, and when we
submitted the resolution to Senator Stevens, he
20 directed the North Pacific Management Council to
address that resolution, which is to recognize
Subsistence. And they got back to us and said that
21 they don't have the regulatory authority to do it.
So, it kept getting bounced back and forth. Donald
22 McCochran met with us, and he said that they support
it because it's such a small number. I mean, you're
23 talking a really small number. And so we came up
with the best solution that -- so that it does not
24 affect the commercial harvest; and that is to use
tribal authority, tribal people, because that number
25 never changes. It's pretty constant. Native
communities are not growing, and it was the

1 enforcement officers who recognized that and said
2 that would be the easiest thing to enforce. If they
3 came up to a boat and they were fishing with a
4 skate, all these people would have to produce is a
5 tribal card; and they like that idea. So, basically
6 they're dealing with a Catch-22, as Harold
7 mentioned, with the Legislature, and with -- I don't
8 necessarily know what happened with the Governor's
9 office. That's what I saw as a member of the
10 halibut working group, and so it's our goal -- and
11 we just don't have the money to do it -- to publish
12 that Roger Shute's report which is still on the
13 shelf in the archives in Seattle. That's all I
14 have.

15 MR. THOMAS: Thank you. Any
16 questions from Matt?

17 MS. STEVENS: I have a question.
18 I was trying to write everything down
19 as you were talking, but I have a question in
20 regards to the cards. Does -- like out on POW, if
21 one of our tribal members was stopped and that
22 tribal member showed a card, does the person that's
23 doing the regulation, is he aware and brought up to
24 snuff that if a tribal member is stopped all they
25 have to do is show a tribal card?

MR. KOOKESH: Right. And it would
distinguish between a commercial harvester and a
sport harvester.

MS. GARZA: That's what's proposed.

MR. KOOKESH: That was proposed,
right?

MS. GARZA: That's not what's going
on.

MS. LeCORNU: I have a comment.
I just wanted to say that I think in
Canada, the Canadian Indians, they have a card; and
they use it. They -- it allocates a certain amount
for them and their whole tribe. It would be easy to
see how they manage theirs.

MS. GARZA: I know just the man to
ask.

Alan?
MR. SORUM: Would it be possible to
ask our staff to try to secure a copy of Shute's
report for the Council? I think that might be -- if
it's possible, I think it would be a really useful
document.

MR. KOOKESH: We didn't have the
money to buy that report. It costs money to
purchase it.

1 MS. GARZA: We're asking Fred.

2 MR. KOOKESH: If you have the money
to buy it, give us a copy.

3 MR. SORUM: That would be my
request. I think it would be a real valuable --

4 MR. ADAMS: That will go to Floyd.
Jack?

5 MR. LORRIGAN: You want me to come
up? My name is Jack Lorrigan, L-o-r-r-i-g-a-n.

6 What Mr. Kookesh said about the Shute
report on halibut is true. I have a copy of that
report in Sitka. It's in my files. I gave that
7 very copy to all the members of the Fisheries
Management Council. I think the same thing happened
8 there; it got filed. They're aware of it. I gave
it to them; so, if Fred wants to get ahold of me, if
9 it's not the report, it's certainly a synopsis of
everything he did.

10 MR. CLARK: Consider yourself gotten
ahold of.

11 MR. LORRIGAN: It's a synopsis of
everything he did. He showed a tremendous amount of
12 halibut being harvested by these people. They were
selective in their harvest. They weren't catching
13 the big ones or the little ones. They were catching
the subadults.

14 MS. GARZA: You'll make available a
copy to Fred, and he'll get it to the Council and
15 we'll make sure that Matt gets a copy.

16 MR. LORRIGAN: Sure.

17 MS. WILSON: I have a question for
Harold. Harold, on that North Pacific Fisheries
Commission, do they ever acknowledge or justify all
18 the by-catch out on the ocean with the trawlers? I
can't understand why they let them throw hundreds of
thousands of pounds away dead when they pick on us
19 little Subsistence fishermen.

20 MR. MARTIN: It's a topic all by
itself. I think that they are taking steps to
reduce that. We protested that very vigorously one
21 year when they dumped 700,000 pounds of bait. I
think they've taken steps to reduce that, but it's
22 not by any means very small.

MS. GARZA: Mark.

23 MR. JACOBS: Thank you, Madam
Chairman. Harold Martin is on our Southeast
24 Subsistence, as I mentioned, president. For lack of
money, he hasn't been able to call a meeting of the
25 commission. So I don't contest his testimony at
all. But I would like you to know the status of our

1 Tlingit and Haida people in Southeast Alaska during
2 the land claims. Our case Docket No. 4700 was a
3 trespass suit. The land was not for sale. The
4 Russians was allowed to build a salt gathering there
5 at the mouth. The co-management between the
6 Kiksatis and the Russians. But when the Russians
7 began to interfere with them. He attacked the
8 saltery. Let only two of them go. Because they
9 were demanding their rights and they were exercising
10 their sovereignty and exercising their ownership.
11 The Tlingit and Haida case was circumvented by the
12 Alaska Claims Act, and I don't call it a
13 settlement. It's a unilateral act; one week before
14 the president signed the Alaska Native Claims
15 Settlement Act, the United States Government gave
16 back two of the islands that were captured by
17 American blood; and I was in that battle. Now, this
18 was taken in a just war. They even paid rent to the
19 former enemy on the airfields they built there. I'm
20 talking about Iwo Jima and Okinawa. I went through
21 both battles. Today I'm considered a survivor of
22 Iwo Jima.

12 Now, when I look at some of these
13 things that are contested about the Native rights to
14 eat dry fish or eat fish eggs or stink fish eggs --
15 we call it stink eggs -- this is a Native right.
16 It's a way of life. It's sovereignty; a way of life
17 is sovereignty. It's unethical for a constitutional
18 government to negate common law.

19 Every statute and every regulation to
20 be legal must come from the law. Law does not come
21 from the statute nor regulation. This is a doctrine
22 of law. I wish I could spend more time. When I
23 applied for the first naming of this Board here, I
24 knew that I lost out on that particular membership;
25 and I'm suffering from a hearing problem; but,
believe me, I'm still effective. When it comes to
battles with bureaucrats, Fish & Game, Forest
Service, the Alaska Native Claims Settlement Act
designated Southeast Alaska as trespass when an
executive order was ordered to set up Tongass
National Forest. Another executive order was
Glacier Bay, very sacred land to the Natives. Two
old ladies gave up their lives when the glacier was
advancing. There was a funeral service that put the
best regalia on top of these two old women saying "I
will be meandering in and out of my uncle's home
again." So, they had this funeral; and the glacier
covered them.

It was not bureaucrats that were

1 covered by the glacier. When the glacier began to
2 break back, it became a bay. This is talking about
3 the Ice Age. Our Natives run back to this era.
4 It's common law.

5 Now, I know I've talked a great deal
6 about statutes and being agreeable with a lot of
7 these things. I talked to Harold this morning about
8 the creation of nonSubsistence areas. I thought,
9 what's going on here? The Federal Government gave
10 us priority over the use of our resources. Setting
11 up nonSubsistence areas around Juneau and Ketchikan
12 is a regulation. It's in violation of the ANILCA
13 Act because it was given the other -- giving the
14 other users priority, Subsistence crackpots --
15 Subsistence fishing could not be conducted in those
16 areas. I attended the Alyeska meeting, Fish & Game,
17 very tricky way of setting it up. They hired two
18 buses to take us to Alyeska. That's where it was
19 decided that Southeast Alaska would be rural, all of
20 southeastern. Along comes two of these Fish & Game
21 heads, the Juneau and -- that Juneau and Ketchikan
22 is a little bit too large for Subsistence
23 preference. So Juneau and Ketchikan was removed.
24 And this is where this nonSubsistence area comes
25 up. You don't always have a friendly judge when
there's a violation of such a regulation. But I
want you to know, we are paramount to this; and we
live faithfully under a Constitutional government,
and we've voted for Alaska State to get rid of the
menace of fish traps. And, again, we created
another menace off our shelves that will deplete our
resources. The regulation itself is eliminating a
lot of resources. You wonder why gray whales are
starving before they get to Puget Sound. Over 50 of
them starved because of sack roe fishing. We tried
to stop this sack roe fishing. They come to us as
an international agreement saying that if we don't
use a certain resource that a foreign government can
come and take it. We don't have treaties with any
government whatsoever. We have our rights. We are
beginning to learn the system of American western
law, and we're using that as bow and arrows today.

22 Now, Congress claims plenary powers;
23 and that's what you have to contend with. Plenary
24 powers is illegal. It's genocide.

25 MR. ADAMS: I would just like to make
a comment with Mark -- you know you can go into
Juneau.

MS. GARZA: Speak up.

MR. ADAMS: You can go into Juneau

1 and go to an Italian restaurant and enjoy Italian
2 food, spaghetti. There's sushi bars. There's
3 Chinese restaurants; and these people, you know, are
4 allowed to enjoy their traditional types of food;
5 and I don't see why we as Native people cannot enjoy
6 the same privileges; and I just wanted to let Mark
7 know that, you know, I think that's a basic right as
8 well. He hits the nail right on the nose that it's
9 a natural right that we all enjoy.

10 Another thing I'd like to say, in
11 regards to the halibut as a customary and
12 traditional use situation. When I was a little boy,
13 about nine or ten years old, I came upon an
14 old-timer whose name was Dan Henry; and he was
15 working -- he had cut down a tree, and he had some
16 limbs sticking out all over. He went -- I went over
17 and asked him, "What are you doing?" He said he's
18 making a halibut -- a system to catch halibut. And
19 I saw it when it was completed, and I know where he
20 set it; and I think it was probably one of the last
21 ones that were ever built in Yakutat. I was just
22 drawing a diagram of it. I don't know if you all
23 can see it or not. It's a trunk of a tree, and it
24 has the limbs sticking out in the various ways.
25 Then he had a wake on it and a little swivel that
would allow for incoming and outgoing tide. And
then the hooks were tied onto the end of the limbs
when you come down to the bottom of the ocean. It
had the traditional halibut hooks that we saw
yesterday on it.

16 And each of those hooks had a name.
17 You know, they were dedicated and set apart for the
18 purpose of catching halibut; and they had a name.

19 So, this is well documented in some
20 of the research papers I've done as far as Native
21 history and culture is concerned; and I just wanted
22 to share that with you, that halibut has always been
23 a customary and traditional use for the Native
24 people; and this is just one of the examples, one of
25 the examples of how they caught it. There's more
than two hooks on that line.

22 MS. GARZA: So, there was a request
23 by Harold Martin to submit documentation to the
24 North Pacific Management Council to support
25 customary and traditional take of halibut. We
submitted a resolution last year. Can we just
update that resolution and resubmit it, Harold?

MR. MARTIN: Yes.

25 MS. GARZA: So, is that the intent of
the Council?

1 MS. WILSON: I so move.
MR. ANDERSON: I second it.
2 MS. GARZA: Moved and seconded to
resubmit the resolution supporting customary and
3 traditional take of halibut.
MR. ADAMS: Question.
4 MR. THOMAS: Question.
MS. GARZA: Discussion?
5 MR. THOMAS: I remember the
resolution. I don't remember the specific language
6 in there. But -- because I didn't have the
information last year that I got this morning that
7 the exclusion of Alaska was unique; and I think
we -- if we need to add that as further information
8 on that resolution, I think we should amend the
resolution to include that.
9 MS. GARZA: So, we will update the
resolution; and Fred and I can work on that at
10 lunch.
MR. MARTIN: Madam Chair --
11 MS. GARZA: Fred, Harold, Matthew,
and then Ray.
12 MR. CLARK: I don't have a copy of
the resolution here. If anybody does happen to have
13 that, we can use that as a base. If not, we can
work on it later.
14 MS. GARZA: We can just make sure we
can update it to include that.
15 MR. MARTIN: I think your resolution
was submitted before we submitted our proposed
16 regulations. I would ask that the resolution --
that the proposed regulation be adopted.
17 MS. GARZA: Okay.
So, the new resolution would request
18 that the regulations be adopted? And in the
"whereas" it would include reference to the 1938
19 report by Shute.
MR. KOOKESH: S-h-u-t-e.
20 MS. GARZA: We'll get that from
Jack. So we'll at least have two things. Matthew,
21 do you have a comment?
MR. KOOKESH: Just a procedural
22 thing. I'd like to introduce somebody. He may
direct you to another source to submit this
23 resolution. I'd like to introduce Henry Kadake, who
is part of the International Halibut Commission
24 Conference Committee.
MR. KADAKE: I didn't want to do
25 this. Madam chairman, Henry Kadake, last name
spelled K-a-d-a-k-e. I used to be on the advisory

1 board for the Halibut Commission and the conference
2 board. They call it in the Halibut Commission
3 meetings, and we have on the Halibut Commission --
4 we have a lot of votes in the coastal villages that
5 represent us there; and I would recommend that we
6 would start our resolution there in a conference
7 board and have them get their backing before it goes
8 toward the commissioners of the Halibut Commission;
9 because if you get the backing of the -- of the
10 Halibut Conference Board, you have a better chance
11 of passing and asking for a quota and not a right.
12 You know, get part of the quota for each -- each
13 district is like there's 2C, 3A, 3B, and then the
14 villages, and get an equal amount of quota; and I
15 think we will be able to push this through this way
16 rather than trying to, you know, get one large quota
17 for the whole state, just a small portion for each;
18 and I think we have about 10 or 11 votes on the
19 conference board out of that -- and they're really
20 convincing because there's a lot of goals by the
21 Pribilofs, Aleutians, Bristol Bay, and Kodiak, and
22 all vote for -- will back each other up in the
23 conference board. We passed a lot of things
24 through. We were there when the Canadians got their
25 quota for their Subsistence. So I think that's
where we need to start, and that's what I would
recommend to the Board is have the resolution go to
the conference board and get their support; and
maybe talk to the other regions and the coastal
villages so we can all go there with the same idea,
and then we would get it a lot faster. That would
be my recommendation.

17 MS. GARZA: Thank you, Henry.

18 Question for Matthew: You had said
19 that the harvest numbers were consistent and low.
20 Does that mean that you have those numbers
21 available?

22 MR. KOOKESH: Maybe you can ask Mike
23 Turek from divisional Subsistence to answer that
24 question.

25 MS. GARZA: Mike Turek from the
division of Subsistence, can you answer that
question?

MR. TUREK: Mike Turek with the
Division of Subsistence, T-u-r-e-k.

We have numbers from our household
harvest surveys, and then the department has some
numbers too. So, we do have some data on halibut.

MS. GARZA: Okay. So, the issue we
have there is what we're harvesting based on

1 regulations and then what Vicki would bring up, what
2 we need based on the level that we should be
3 getting.

4 So, it kind of sounds like we're
5 supporting the resolution; but we've got some work
6 to put into it, and perhaps what we need to do is to
7 support the concept and have a small committee pull
8 it together.

9 MR. THOMAS: Madam Chair?

10 MS. GARZA: Bill?

11 MR. THOMAS: After I assume the chair
12 again, I'm going to appoint you committee
13 chairperson of that because what started out to be
14 an innocent little proposal now is an octopus; so
15 we've got to decide which arms are going to go
16 where.

17 MS. GARZA: As long as I get to be
18 chair of that commission, then I'll relinquish my
19 chair of the Council right now.

20 MR. THOMAS: Anyway, I think we need
21 to do that so that we have the right sequence at the
22 right time because when -- when we first decided on
23 an approach of a resolution which sounded really
24 good to me, came up with other recommendations to
25 attach to that, we're making -- we're making you
bureaucrats look like bakers; so I think what
you -- what we need to do is to have that
approach. So, that's what I would add. Thank you,
Madam Chair.

MS. GARZA: Henry, if it goes to the
Halibut Conference Board, what kind of time do you
have to have for that?

MR. KADAKE: I think December 25th is
the deadline on the resolution. So, they meet right
before the North Pacific Management Council. They
meet at the same time. They have a big conference
board, and they address it to a conference board,
send it to the Halibut Commission; but it would be
addressed by the conference board.

MS. GARZA: Okay.

Mr. Chairman, I'd like to give up my
chairmanship.

MR. THOMAS: Thank you, Dolly.
Ray?

MR. NIELSON: Ray Nielson.

MR. THOMAS: Don't talk before you
sit down.

I know you had to wait, and you're
running out of patience.

MR. NIELSON: I got patience. Thank

1 you. I'm glad we're talking about halibut and
2 Subsistence. Yesterday I mentioned a little bit
3 about the Sitka Sound halibut task force plan.
4 Several years ago the charter boats started
5 infringing into our critical use area. Not just us,
6 but everybody in Sitka. We all live there because
7 of the wonderful resources and availability. They
8 started taking lots. They have salmon, little ones,
9 big ones. Alaska Long Lines Fishermen's Association
10 came to me and asked me if I would be willing to go
11 to the North Pacific Fisheries Management Council
12 panel. I said, "Sure." I went up there. I got my
13 paperwork all together. You have to go to the panel
14 in order to get to the Council; you have to make it
15 through the panel. You have to have your act
16 together. That was very difficult to me.
17 Fortunately, there was one gal on there that
18 understood Subsistence. To the rest of them, that
19 was a brand-new word. Charter fleet really did not
20 like it. I went along anyway and supported the
21 community of Sitka. Like I said, I had stacks of
22 paperwork I presented to the panel; and I made it by
23 there; I went to the council. Fortunately for
24 Sitka, we had a person on each one of them; and
25 actually they're the ones that made it possible for
me to go. So, that was the first step in putting
the seed into the mind about our right to food.
Native was the main one, but also for the rest of
the people in Sitka; and that was the first time,
and then we would have a little halibut task force;
and that didn't go very well. Then we had two
more.

17 And just the other day, it came into
18 final regulation; and I picked up the paper on the
19 catamaran. That was good; now it's a regulation
20 form. What that's about is micromanagement. It's
21 the first of its kind in the nation; it took all the
22 groups in Sitka to realize that something has to be
23 done. It wasn't easy. It wasn't easy at all.
24 Everyone was involved, committee members, tribe,
25 ANBs, sportsmen, commercial, charter boats, which
are now termed commercial sport. I like that.
We've been waiting for years for the charter boats
to be -- to call themselves commercial, because they
are commercial under the guise of sport. Now we're
trying to get them to recognize the Native
Subsistence, our ways of going out and securing an
allotment, which is what we tried to push on the
commercial charter boat, not just to jump in there
and take their share. We want them to buy into the

1 fishery, but not us. We live there; we're
 2 descendants of the original inhabitants, and we
 3 shouldn't have to go through all the process to have
 4 our share of fish.

5 As I see what we're doing here right
 6 now is trying to make that possible through the
 7 Federal agencies and through the resolution in this
 8 Council. I see that as you are a tool for us to
 9 accomplish what we need. We have people in the room
 10 there that are part of -- to be part of that
 11 stepping-stones; and whether it's ANB, tribes,
 12 communities, Tlingit and Haida, or corporations, I
 13 think this is a very real possibility; and I commend
 14 everyone for stepping forward to bring this up and
 15 put it on a platter, present it to the Council of
 16 Management; and I think we have a good plan in the
 17 making.

Thank you.

10 MR. THOMAS: Thank you, Ray.

Anybody feel hungry for halibut?

11 MS. LeCORNUE: I'm hungry for the fish
 12 on the table.

13 MR. THOMAS: Okay. One of our hosts
 14 here was baking pastry all morning, and he brought
 15 them in; and we're going to take a five-minute
 16 pastry break.

17 MR. THOMAS: Before we came into the
 18 world of technology, we didn't have a little
 19 frustration around equipment because we didn't have
 20 any; but now that we've got it, look at this; that's
 21 our advancement.

22 MR. CLARK: I don't see any
 23 frustrated people.

24 MR. THOMAS: Sandi is getting back
 25 under her skin.

(Break.)

19 MR. THOMAS: Sandi, there was a
 20 motion made awhile ago. Can you read that back to
 21 us?

22 MS. GARZA: The intent of the
 23 resolution or the motion is to support a resolution
 24 requesting a quota for halibut to be submitted to
 25 the North Pacific Fisheries Management Council and
 IPHC and the IPHC Conference Board and that the
 resolution will be developed by an ad hoc committee
 which is chaired by Dolly Garza.

24 MR. THOMAS: Call for the question.

MS. GARZA: Question.

25 MR. THOMAS: Question was called.

All those in favor say "aye."

1 COUNCIL MEMBERS: Aye.

MR. THOMAS: Opposed?

2 Okay. That motion was carried.

3 Are you guys ready? Do you want to
wait until 2:30?

MS. PHILLIPS: No.

4 MR. THOMAS: Okay. We're going to
move now down to Tab G, A, the annual reports. One
5 of our council members or three or four of them have
traveled -- have to travel today -- they're dropping
6 like flies -- depending on the weather. We'll give
them time now to make comments and observations
7 regarding the annual report.

Realizing that the annual report has
8 already been submitted and acknowledged receipt of
it.

9 MS. PHILLIPS: Was staff going to do
a report on Tab G? Tab G, the annual report?

10 MR. CLARK: If the Council would like
a report, I could provide one. I think the Council
11 is probably familiar with the annual report and
probably doesn't need a report.

12 MS. LeCORNUE: I missed the last
meeting. This is all I have, but I don't know --
13 this is a related issue --

MR. CLARK: That was the annual
14 report?

MS. LeCORNUE: It is.

15 MR. CLARK: What's the wishes of the
Council?

16 MR. THOMAS: I'm not sure what you
want, Patty.

17 MS. PHILLIPS: I just want to follow
the process -- it's an item on the agenda, the
18 annual report -- tomorrow it's an action item so --
so, should I just start with my comments, then?

19 MR. THOMAS: Sure. Sure.

Under positive development, No. 1, it
20 talks about several collaborative efforts from the
Prince of Wales area, Unit 2 area; and one of those
21 mentioned was the road management collaborative
meetings, and it's been brought to my attention that
22 Steve Kimball will be transferring; and I am
concerned about whether the collaborative efforts
23 are going to be stalled or whether decisions will be
made prior to his leaving, and the road management
24 collaborative meetings in Unit 2 are one of the
issues that could be in limbo with his transferring;
25 and, so, I'm just sort of --

MR. THOMAS: Those are really good

1 points; and if I'm guessing right, I think Fred's
2 busy with the pen. Fred will take those questions
3 back with him because he works in the office where
4 that information is available, and that assumes he
5 finds out that he'll be distributing an answer to
6 your question. So keep cool.

7 MS. PHILLIPS: I'm concerned that
8 there will be an indication of comments if it's
9 stalled and carried over to the next person, and we
10 hear time and again that Subsistence users have to
11 provide testimony over and over again on issues; and
12 I'd like to avoid the duplication of public
13 comments. And I'd like to see a follow-through on
14 those collaborative efforts rather than stalling.

15 And I'm wondering if the person that
16 will be replacing Mr. Kimball will be a temporary or
17 a permanent position, so that will further stall
18 that decision-making process.

19 Did anyone else want to talk about
20 the road use management?

21 MS. GARZA: I was looking for Dave
22 Johnson, but I don't see him. Speak.

23 MR. THOMAS: Yeah. Come on up.

24 MR. SHIPLEY: Mr. Chairman, my name
25 is Linn Shipley, L-i-n-n S-h-i-p-l-e-y; and I was
just most recently at one of our wolf road
collaboration coordination meetings about a week ago
there at Gourd Bay. Let me assure you that we want
the process to continue and that on your question
regarding whether or not there will be a temporary
person and then a permanent person, my understanding
right now is that there will most likely be an
acting district ranger for a period of time until
they can fill the permanent position. They've
already begun the process to advertise the position
to fill in behind Steve. It's hard to say exactly
when that will happen, but this is -- they've got
that process going a little bit faster than they
usually do. So, the other members of that committee
are still in place and still working on that
process.

MR. THOMAS: I have a question on
that. I attended one of their meetings, and it
appeared that Steve was a primary designer of the
concept of that approach. I think -- he wasn't a
designer?

Where did it come from?

MR. CLARK: Mr. Chairman, it's my
understanding that Steve is the lead for the Tongass
area on that; but that is a concept that the Forest

1 Service is using throughout the agency, but it's
2 new; and I think what's happening on Prince of Wales
3 with Steve at home is kind of cutting edge of what's
going on, and -- but it isn't going to stop with
Steve's absence.

MR. THOMAS: Well, there's a couple
4 of things that worry people like us. We know it's
going to stop. What we're interested in is making
5 sure that the quality of leadership, the quality of
commitment, the quality of understanding the
6 process, we don't lose anything in the transfer.
See? Because if you're going to train a new person,
7 by the time it's time to get around to that, it's
time for them to go someplace else. That's kind of
8 what the concern is, right?

MS. PHILLIPS: Yes.

9 Chairman Thomas, to get specific, I
guess there's the -- they're considering road
10 closures in certain areas of Prince of Wales Island;
and the reason they're doing that is because some of
11 the roads are not being maintained, and yet they are
still being used; and the -- the road is sloughing
12 off into the streams which damages the habitat for
fish; and so if this process is stalled, if roads
13 are not tended, then we will have habitat
destruction for fish; and that's what my may concern
14 is about as far as the road closure; and the
decision-making process is with this turnover of
15 staff how long will that decision-making process be
prolonged?

16 MR. SHIPLEY: That's hard to say. I
couldn't say at this time.

17 MR. THOMAS: Well, even if the
decision process does take time, the decision has
18 already been made on how that is going to be
addressed. I should say that, if there's a problem
19 with erosion that's being detrimental to the
streams, I would imagine by now those have been
20 addressed. And then there are probably plans in
place to monitor the rate of erosion and the
21 destruction of those streams?

MR. SHIPLEY: Yeah, and there are
22 efforts to maintain and fix any of those ongoing
problems. We try to get out there as soon as it
23 happens; but, you know, it is something that's going
on all the time.

24 MR. THOMAS: Okay. Dave is back.
He's got all the answers for you on Prince of
25 Wales. So you're in luck -- no.

MR. JOHNSON: I'm not supposed to be

1 there, am I?

 MR. THOMAS: No.

2 MR. ADAMS: Mr. Chairman, I move that
he does be there.

3 MR. THOMAS: Well, we don't know what
the next one is.

4 MS. PHILLIPS: Well that's --

5 MR. THOMAS: I'm like a catcher with
Patty pitching. I don't know what she's going to
throw.

6 MR. SORUM: Mr. Chairman, just in the
context of the annual report and then the response
7 that we've gotten on the annual report, the one
thing that keeps coming to mind is the Council has
8 all been really good about directing the staff to
investigate things; and a lot of times it falls on
9 Fred's shoulders. We're really good at saying we
want an answer of the Forest Service -- I want you
10 to list -- like the tribal suit on appeal, or T-lawn
putting a member of the Council or a representative
11 on the T-pit, on the planning team. We did get some
information on the case, but I know there was
12 frustration; and there still is frustration about
the Forest Service stance on the marine waters, and
13 I think -- I don't know what the wishes of the
Council are. I'd sure like to see some direction to
14 the Forest Service since the Forest Service is the
lead agency for our region so that we don't foist
15 the burden of the load on this one person. On some
of these issues it seems that it's important enough
16 that there should be a representative of the Forest
Service here to address the Council on, for
17 instance, pending litigation; and we really never
have gotten a real feel for why the Forest Service
18 feels the way they do about some things. It usually
ends up with a sentence -- with something that "The
19 board has referred your comments to the Forest
Service." So, alot of the things that we propose
20 and ask for and we're trying to drive for
information are loaded on Fred; and I think I don't
21 know how we can do that as far as an action item for
the Council. But I'd like to see more involvement
22 with the Forest Service, the regional-type people
instead of those people having all the work shifted
23 off on the workers and staff. I don't know how else
to put that, but we get the feeling sometimes that
24 we don't really have a feel for what management and
the Forest Service is really interested in and where
25 they're going. We don't get a feeling for that at
all.

1 MR. THOMAS: Are you saying that
2 you're not comfortable with the leadership of the
3 Forest Service?

4 MR. SORUM: I would never say that;
5 but it would be nice if a Forest supervisor came to
6 one of our meetings or sent one of his
7 representatives and told us, "Gee, we're not
8 interested in dealing with the marine waters
9 because, A, B, or C"; instead they push things off
10 on, "Well, it's in litigation, so we're going to
11 wait until the litigation is over"; but they don't
12 tell us why they feel inclined to let it be
13 litigated, that sort of thing.

14 MR. THOMAS: Well, there's a real
15 small difference here. One of them is that they're
16 getting big, and we're not. So, that's probably --
17 Vivian?

18 MS. HOFFMAN: Thank you. I am
19 representing the three Forest supervisors we have on
20 the Tongass here today; and I'd like to offer -- I
21 think your suggestion is well intended, and I think
22 it's a good idea. I know Fred has more work than he
23 can probably handle, you know, trying to serve you
24 effectively. I'm quite certain that the Forest
25 supervisors would like to be better communicating
with the Council; and I would recommend to both my
supervisor, Fred Salinas, and the Tongass supervisor
in Ketchikan that they perhaps meet with Fred and
maybe a member of the Council if that's desired to
see what types of assignments you see --

16 MR. SORUM: I remember John Vale
17 trying to get a solicitor, and those kind of
18 things -- we've asked some things -- for some things
19 for the Forest Service; and Fred does a great job
20 for the Council, and I'm afraid they depend on him
21 to carry the load for them.

19 MR. THOMAS: We've just installed a
20 new process for him so he's got more capacity and
21 capability --

(Laughter.)

21 MS. HOFFMAN: I'm sure the
22 supervisors would be very pleased to come visit with
23 you and get on the agenda. I know they tried to get
24 this --

23 MR. THOMAS: They're going to have a
24 copy of the transcript. It's going to reflect the
25 part of the staff meetings, the committees, and that
sort of thing. I think the comments will be well
distributed.

MS. LeCORNUE: Alan brought up some

1 really good points, and I thought we were going to
2 be briefed on the case here; and I didn't get any
3 information on it; so, you know -- and the other
4 problem I see with this annual report is that, you
5 know, I think we brought up this question before,
6 that the secretary is delegating his authority to
7 somebody else; and I heard a Forest Service employee
8 say that that's not permissible; that's delegating
9 authority that's not to be delegated. So, I see
10 that their response to that has been delegated to
11 someone else, and I think we need a response from --
12 pursuant to -- or someone in the higher-ups.

13 MR. CLARK: Mr. Chairman?

14 MR. THOMAS: Fred?

15 MR. CLARK: Of course, I very much
16 appreciate the discussion, especially if it reduces
17 my workload; but just a couple of things is that I
18 did have people lined up to brief the Council on a
19 number of these topics, including one of the staff
20 from OGC. One of our Forest Service lawyers was
21 planning on attending the meeting, and he would have
22 been able to give you more information about the
23 case. At the last moment he had to cancel. It
24 happened with a lot of people; for instance, Tom
25 Puchler couldn't come; Rachel couldn't come, which
we're all very sad about. Fred Salinas had to
cancel at the last moment. So the intent was to do
exactly as I hear the Council saying, to have some
of the Forest Service leadership here to provide
some direct interaction to get a feeling for where
the Council wants to go and to provide information
to the Council on which you can base your
deliberations. That would have been very good if
that would have happened, and I regret that it
couldn't.

As to the question about delegating
authority, if I'm not mistaken, Vicki, perhaps what
you were talking about was Bill Knauer's report
where he said that the secretary could not or has
not delegated the authority concerning
extraterritoriality jurisdiction. But that is not
the case for other parts of the regulations. That
was specific to extraterritorial jurisdiction.

MS. LeCORNU: I have to read about
that; because I understood that, you know, he was to
respond to us in a meaningful manner; and that
doesn't include delegating your authority. That's
just my feeling, whether it's legal or --

MR. CLARK: In terms of the annual
report, there's always been lots of opinions about

1 the value of the annual reports and who they should
2 be directed to. I still feel that they're a great
3 tool for the Council to use. It may take a little
4 bit of tweaking to be effective, but it's an ongoing
5 improvement that we should be working on.

MR. THOMAS: So, there.

4 Patty?

MS. PHILLIPS: Chairman Thomas, I
5 concur with Alan's remarks.

In response to our annual report, the
6 final paragraph said that our requests have been
7 forwarded to the U.S. Forest Service for response;
8 and I feel that we haven't gotten a response on some
9 of our requests. Has there been a member put on the
10 Tippet team that's knowledgeable of Subsistence
11 use?

MR. CLARK: Is that a question
12 directed --

MS. PHILLIPS: Well, it was something
13 that the Council recommended; and it was responded
14 to us that we'll get a response from the Forest
15 Service, but I haven't -- I haven't been made aware
16 of any response.

MR. CLARK: I haven't either.

MS. PHILLIPS: And on the Heretrovich
17 case, we did receive the court filings; but I
18 would -- I would like a summary included with those
19 filings in a language that I could understand. It's
20 very technical, and I'm not a lawyer.

MS. GARZA: Yeah.

MR. CLARK: Again, that's why --
21 that's one reason I was really hoping that our OGC
22 lawyer could be here to provide some sort of
23 overview and summary of the case as it stands now.
24 He told me just last week when he was still planning
25 on coming that there were a couple of more filings
26 that are available to add to your large stack.

Getting anybody to produce a summary
27 of that material, since it is still in litigation,
28 is going to be impossible.

MS. PHILLIPS: A summary up to this
29 point, you know, pending finalization or the
30 decisions.

And a response to our -- to the new
31 record of decision, we didn't get anymore follow-up
32 on that; and I would have liked to have received
33 that as a Council member.

MR. THOMAS: Alan?

MR. SORUM: Mr. Chairman, I guess in
34 a nutshell, I guess what I'm saying is it would be

1 very helpful if the Council is not working in a
2 vacuum; and we have an understanding of what the
3 Forest Service's hopes and issues are and what
4 they're going to be. It would help the Council with
5 their deliberations. I think in a nutshell, the two
6 Councils are parallel; and we reach out to
7 everyone. It would be a good thing if we had a
8 chance to hear from someone who represents the
9 higher ups and tell us where they see themselves in
10 five years. I never had a feeling where the Forest
11 Service wanted to be or what they wanted to do with
12 this or what they're going to do. That's what I
13 wanted to bring up.

MR. THOMAS: Those are excellent
14 points and they're certainly going to be depicted in
15 the transcript just as you quoted them. I think you
16 quoted them very well; it wasn't hard to understand;
17 and if they have trouble understanding, I'll
18 volunteer to be the interpreter; so those are really
19 good remarks; and, like I said, they review those
20 transcripts; and the area that applies directly to
21 them will be picked out of there to do something
22 with it.

Dave?

MR. JOHNSON: Mr. Chairman and
23 Council, one possibility, if the Council is
24 agreeable and Bill would be agreeable, perhaps a
25 meeting with Tom and Bill to kind of further
reinforce this -- this change that's occurred beyond
just the needs of what the Council coordinator is
providing; and, again, roles and responsibilities to
the Council certainly rests with the coordinator;
but, as has been pointed out here, we've now moved
to a point where Subsistence issues have increased
to a much broader and greater extent than what was
thought to be two years ago or three years ago, four
years ago. It has just been a progressively
changing increasing workload. So, what I'm trying
to say is that the kinds of things that the Council
is needing can't be provided by just one person;
because now with the Forest going through the
reorganization it is going through, you're talking
about from Ketchikan to Yakutat. On the Tongass
there's a much broader array of Subsistence issues.
Special Forest product has just been developed and a
whole list of other things that the Forest Service
thought would be back in the bailiwick of the
State. I think that was the hope and still is the
hope, but it hasn't happened yet; so, I think that's
what's kind of moving up to this next --

1 MR. THOMAS: Who is Tom?
MR. JOHNSON: Tom Bustrick, Forest
2 supervisor.

MR. THOMAS: Never met him.
3 MR. JOHNSON: That's why I think
maybe you should.

4 MR. JACOBS: Thank you,
Mr. Chairman. I hope you're not getting tired of my
5 voice.

MR. THOMAS: I am, but we'll put up
6 with it.

MR. JACOBS: You'll have to put up
7 with it. For years, I have tried to protect the log
users, protect logging from around sockeye lakes. I
8 use the Sitka Bay as a personal observation on what
is going on. This clear-cut logging all the way
9 around, I objected to this; because sockeye is a
very important fish; and that is a major stream,
10 Sitka Bay. Many, many centers and many smokehouses
provided -- provided fish for them. But the Sitko
11 Lake, as it was being logged all the way around, a
study of that lake indicated the temperature of the
12 lake was rising. The expert biologist says that
warmer water enhances the growth of the sockeye
13 salmon. What happened is after all of these slash,
sawdust, and bark and things are left on the
14 hillside, in the decay process with the runoff of
the waters running into the lake, Sitka Lake used to
15 have nice, fine-grade gravel all the way down to the
water. But this process of -- decaying process on a
16 hillside produced thick algae on the bottom of that
creek where you couldn't hardly stand up and walk in
17 it anymore.

We used to get 50 sockeyes per
18 permit; then they cut us down to 25, then 10. What
happened to this -- enhancement of the rising
19 temperature enhances sockeye.

What happened here is the effect of
20 the clear-cut logging and the temperature of the
water has spawned the habitat for sockeyes and the
21 growth of it, and the reproduction process because
algae is produced by trash. I know the road
22 building is very, very serious unless they start
pouring cement pillars while the eggs are incubating
23 down under the water, downstream. I think the
runoff from freshly poured cement kills them; but
24 other than that, after they're set, I don't think
there's any danger to the salmon at all. I think
25 there's a lot of study that's been done as far as
the limestone and these other things that affects

1 it. Buffer zones also cause controversy between the
2 State and Forest. Buffer zone as far as we were
3 concerned was ineffective, and the State comes along
4 and says -- and the size of streams became a
5 debate. Is it ten feet wide, or is it three feet
6 wide; or is it -- all these different things came
7 into arguments. I think the Forest Service used to
8 be real tough to deal with. They held you to your
9 subject; like myself, I know I'd get cut off because
10 I vary from the original subject; and they'll cut
11 you off right now. Now they don't do that.

I want to thank you for this moment.

12 MR. THOMAS: Thank you.

Vicki?

13 MS. LeCORNNU: Mr. Chairman, I have to
14 read to you from ANILCA, from the annual report; and
15 I have to see -- I have to take personal
16 responsibility for not being at the meeting last
17 year, but it says: "D, the preparation of annual
18 report to secretary shall contain an identification
19 of current and anticipated Subsistence use as far as
20 fish & wildlife populations within the region."

21 Evaluation of the current and sub --
22 and anticipated Subsistence needs for fish &
23 wildlife populations within the region, and then a
24 recommended strategy for the management. And the
25 recommendation for policy standards and guidelines
is to implement the strategy.

26 But this is the only thing not in our
27 report; and further on down it says in Section B,
28 "The secretary shall assign adequate qualified
29 staff to the Regional Advisory Councils to make --
30 and make timely distribution of all available,
31 relevant, technical and scientific support data to
32 the Regional Advisory Council, and the State".....

33 But I see that this is not in our
34 request -- in our annual report, and so I think we
35 need to include that at some point.

36 MR. THOMAS: That will come up again
37 in our spring meeting, and then at our spring
38 meeting we have a period of time to submit whatever
39 we want in the annual report; and then a draft is
40 sent out to the Council members to review those
41 ambitions, and then the Council responds to that;
42 and then we get the -- then we get the report put
43 together. That, again, is sent out to the Council
44 members. If they've got any comments on that, those
45 changes are made; and then the report is followed
46 from there.

MS. LeCORNNU: I guess my point is

1 that on all these studies that we're doing, we're
2 not asking for anybody's anticipated needs or their
uses. So --

MR. THOMAS: Yeah, we have.

3 MS. LeCORNU: We've asked them what
4 they've used in the past. We don't ask them what
they need in the future, and that's what the report
should contain.

5 MR. THOMAS: We can do that.
Dolly?

6 MS. GARZA: In terms of the annual
7 report, perhaps at the spring meeting we need to
dedicate more time to it as a Council; because I
8 know in the beginning, as a Council we put a fair
amount of effort into that annual report; and that
9 effort has since declined, and I think this last
year -- I don't think that Fred got any input from
10 any of us; and so when we say that it's missing
something, we are to blame for that, for not doing
our part; but it would be helpful to have that
11 section of ANILCA sent out to us so we'll have an
idea of what we want to put into it or what we're
12 obligated to put into it.

MS. LeCORNU: I guess our only
13 protest in our technical staff is that it is their
job to collect that data, and that -- at this point,
14 has not been done.

MS. GARZA: But they have to hear
15 from us.

MR. THOMAS: It's got to come from
16 us.

MR. CLARK: Mr. Chairman?

17 MR. THOMAS: Yeah.

MR. CLARK: I want to point out that
18 in many of the reports in the past years, the
Council elected to follow those -- not even
19 requirements in ANILCA verbatim; that's the way the
annual report was organized following those
20 particular things, and the Council addressed each
one of those individually; and the Council has over
21 the years decided to use different formats but still
tried to address those comments in a different
22 format, so it's up to the Council how you would like
to do that.

23 Some of the new -- the most recent
studies that are being conducted now in terms of
24 community use have also been trying to address the
question of need as well.

25 MS. LeCORNU: Thank you.

MR. CLARK: You might want to ask

1 Mike Turek --

MS. LeCORNU: I've seen them. I'm
2 still not happy.

MR. THOMAS: The one thing that we
3 can do to satisfy all those is each one of us needs
to be alerted right now to anticipate these types of
4 things, learn from this report, and make
improvements on it for the next report; and this
5 report's already been submitted; and whoever --
whatever comes from it, we'll have to see; but this
6 gives us an opportunity to use some hindsight and
improve on our future reports. Those are all good
7 points that were mentioned.

Anybody else? Patty, got anymore?

8 MS. PHILLIPS: I don't know how to
word this, but I think that it's just been a lip
9 service to this Council if they're not going to
follow up with a response to some of our questions.

10 MR. THOMAS: Bear in mind who we're
submitting this to. It's going to a Federal
11 office. Look at the date on that, May of 1999.
We'll be looking to see a response by 2004.

12 But these are all good points;
they're all part of the transcript. Hopefully --
13 hopefully when they see this, this is stuff they
haven't heard before. They've never heard it in
14 this context. This might generate some urgency to
their responsibility to this Council, and so the
15 points you're making are not in futility.

MR. CLARK: I have a question,
16 Mr. Chairman.

MR. THOMAS: Okay.

17 MR. CLARK: I'd just point out that
the responses to the annual report are twofold. One
18 is from the Federal Subsistence Board, and the other
is from particular agencies; and it appears that the
19 Federal Subsistence Board response has been
consistent. Is that your impression as well?

20 So, their concentration is on agency
responses? That's what I'm hearing?

21 Sometimes it's the Parks Service.

MS. PHILLIPS: Correct.

22 MR. THOMAS: Does that satisfy you?
Any other questions or concerns?

23 MR. ANDERSON: Mr. Chairman, I'd like
to make a comment. It might be -- help the board,
24 the Council, itself to know for the spring we're
going to have to submit the next report. This would
25 be a good time for us to start thinking about things
that need to go into it, not wait and put all the

1 burden on our good buddy, Fred, here. I get the
2 impression sometimes we wash our hands; well, Fred
3 will do it, where we should be doing the majority of
4 the work; and he -- and have it ready for Fred.

5 MR. THOMAS: How do you interpret
6 advisory?

7 MR. ANDERSON: I'm advising.

8 MR. THOMAS: See, we're advising; and
9 some people get a paycheck for what they do.

10 MR. ANDERSON: Do they?

11 Thank you.

12 MR. THOMAS: Like I said, like I
13 said, all your comments are going to be transcribed,
14 and they're going to show up in all the important
15 offices, and hopefully they'll have somebody read
16 them; because they're liable to miss some parts of
17 it. So, you know, there's a lot of responsible
18 people here. Nobody is saying nothing because
19 they're all supporting it. See? And they're smart
20 in supporting it. When you're smart supporting it,
21 you're not making words. I want to take a break and
22 everybody go in the corner and jot down some fast
23 notes, and we'll come back; and everything will be
24 normal and happy again. It will work out. Fred is
25 liable, being the regional coordinator of a dynasty
26 in his office; so -- which is fine, and it may come
27 to that, because our role has been expanded; and our
28 role is pretty heavy to start with, and they have to
29 do something in their -- whenever they restructure,
30 they all downsize from the bottom; but when they
31 restructure to build up, they start at the top. I
32 don't know if any of you noticed that before. I
33 used to work there, and I know all about that.

34 But, anyway, thank goodness for
35 transcriptions.

36 So that will close our discussion
37 on -- on reports. Do I see an arm up? Kind of up?

38 MS. GARZA: Yes.

39 On the annual report we did get a
40 response back regarding new fisheries on aquatic
41 plants, and basically they told us to write to the
42 Board of Fish ourselves; so I think we need to do
43 that.

44 MR. THOMAS: Fred?

45 MR. CLARK: Done.

46 MS. LeCORNUE: Bill, I just want to
47 make another comment. I have to read --

48 MR. THOMAS: Are you going by the
49 book?

50 MS. LeCORNUE: Yeah, I have to read

1 one more thing that I feel I have to say. The
2 reason this annual report is so important to us in
3 Hydaburg or on the island is because if this isn't
4 followed then the secretary cannot use his authority
5 and discretion, so that annual report is important.
6 It says: "Section C, the secretary performing his
7 monitoring responsibility pursuant to Section 806 in
8 the exercise of his closure and other administrative
9 authority over the public lands shall consider the
10 report and recommendations of the Regional Advisory
11 Council concerning the taking of fish and wildlife
12 on public lands within their respective regions for
13 Subsistence uses. The secretary may choose not to
14 follow any recommendation which he determines is not
15 supported by substantial evidence, violates
16 recognized principles of Fish & Wildlife
17 Conservation or would be detrimental to the
18 satisfaction of Subsistence needs. If a
19 recommendation is not adopted by the secretary, he
20 shall set forth a factual basis and the reasons for
21 his decision."

MR. THOMAS: That's correct.

12 MS. LeCORNU: And that was my whole
13 point on the Ketchikan hunt. Remember, we went
14 through this when Dewey was on the board; and though
15 I see why that annual report was important, the
16 secretary was able to ignore us completely because
17 we did not have an annual report requesting this use
18 of this fishery or deer as was the case; and so the
19 Forest Service response to us was that we did not
20 have substantial evidence. Well, that's not
21 required of me. The substantial evidence was for
22 the conservation purposes; and so the answers I got
23 from the Forest Service were turned on its head and
24 said, "Oh, you didn't show us substantial evidence
25 that you need this resource." Well, that isn't the
substantial evidence that is required; and so, you
know, we could have used the solicitor's opinion on
that to explain this to us. Now I understand.

MR. THOMAS: Good.

21 You got to consider who wrote ANILCA,
22 and then you got to consider who reads ANILCA. Then
23 you've got to consider who is interpreting. So
24 what's substantial to you and me isn't substantial
25 to them all the time.

MS. LeCORNU: Well, it wasn't for --
24 was for different reasons; they turned it around.
25 It was substantial evidence that would be contrary
to conservation or subsistence, not substantial
evidence saying that I need this resource.

1 MR. THOMAS: Well, what happened with
2 that particular case, the information that we had at
3 the time when we made our recommendation -- we had
4 substantial evidence with our recommendation, but
5 since then more information was provided to the
6 Board that painted the picture; and that information
7 was made to the Board, but it wasn't made available
8 to the Council. So, in any case, it turned out okay
9 because studies, hindsight, and history is showing
10 that it's working out okay.

11 It was foiled in some respects and
12 successful in some other respects. Any further
13 discussion?

14 Let's just talk about the annual
15 report this year -- well, next year's.

16 Okay. That takes us out of Tab G.
17 Jack Lorrigan had some comments he
18 wanted to make.

19 Jack?

20 MR. LORRIGAN: With your permission,
21 Mr. Chairman, I've got to do something.

22 Just looks better.

23 MR. THOMAS: I don't know if it looks
24 better. It makes it more clear.

25 MR. LORRIGAN: Good morning, Council,
Mr. Chairman. My name is Jack Lorrigan,
L-o-r-r-i-g-a-n. I'm the biologist for the Sitka
tribe, and I've got a position paper that the tribe
and ANB drafted up the other day to express our
happiness that the Federal takeover is finally
here. Just listening to this morning's conversation
I see a battle looming in the forefront. When
you're asking for an allocation from the North
Pacific Fishermen Management Council for halibut for
customary and traditionals, you've got to realize
that the State on behalf of the guided charter
fisheries have already asked for the same thing.
They've asked for 125 percent of their best year's
catch, and they're looking at the years of 1995 and
1998. So, whatever those numbers come out to be,
they want another 25 percent allocated to them to --
in the interest of the growth of the industry; and
it appears the Sitka tribe and the longliners of our
community are getting together to draft up language
to oppose this to go before the North Pacific
Fisheries Management Council. I would encourage
other communities to do the same. It's going to be
a beast that we're not going to be able to control,
and it's going to be at the expense of the Native
communities.

1 MR. THOMAS: Do you have a copy of
the proposal?

2 MR. LORRIGAN: Not with me, no. I
3 know it was submitted in the later part of the
spring from -- from Juneau.

4 MR. THOMAS: Have they been
published?

5 MR. LORRIGAN: I don't know. The
6 deadline for comments to the Council is December 8th
when they have their meeting. So, there's time for
7 this Council and what other bodies want to draft up
language to oppose it or support it, however you
8 want to go, to get that submitted to them. Jane
DeCosmo is the staff person for the Council. She's
the one who takes those.

9 So, with that in mind, we also want
to talk about herring populations not only in Sitka;
and we know that the Council's not addressing
10 herring, but we're still going to talk about it for
the interest of the -- as a fishery for all the
11 other customary and traditional uses. We're talking
about the Sound, Scallop Point, Hoot Canal, Port
12 Camden, anywhere there are herring stocks. When
Fish & Game finds these populations to be at their
13 thresholds, they put seiners on top of them; and
they drive them down, and nobody can figure out why
14 the herring aren't coming back. Usually when they
catch the stocks, they're after old and mature
15 adults; usually those animals have the larger eggs
and better survival. We would like the Council to
16 be aware that the tribe, particularly the Sitka
tribe, will be addressing the herring from time to
17 time.

18 The last sentence on our paper, we
request the Council to take steps to formally
19 address its position regarding Federal jurisdiction
to protect Subsistence uses of herring and herring
spawn regarding state regulation, Federal
20 jurisdiction, and Title VIII. I've talked with Al
Perkins, one of the clan leaders in Sitka. He was
21 born on the Nakwasina River just north of Sitka, and
he was very concerned about the charter industry
22 growing and its interests moving into our streams.
They're taking their clients up into our streams for
23 catching coho for sport use. And a lot of these
systems don't have large runs. They're enough to
24 supply people with fall fish, fall coho; and the
popularity is really taking off, and people go to
25 the streams and see a whole bunch of boats tied up
or anchored up; and they know the best holes are

1 taken by guided sport people. So we'd like that
addressed.

2 MR. ADAMS: Mr. Chairman, may I ask
3 Jack a question here before we get any further on
this particular issue?

4 What about the charter captains or
the charter people, you know, introducing the sport
5 fishing population into things like clams and
cockles and stuff like that?

6 MR. LORRIGAN: That is growing,
particularly -- I'm doing this on hearsay, but I
7 know people are griping about sport pots, sport
shrimp pots, sport king crab pots and sport
8 Dungeness pots and also have personal use pots,
having residential personal use pots robbed by
9 charter people. They come in -- they charge in
after getting salmon, take the pots, sometimes take
the pot, put the pot back down, take off with the
10 crab. This has been observed a couple of times.
We've griped about enforcement or lack of
11 enforcement in Sitka. You read the police blotter,
and you see some charter captains are getting
12 pinched for not filling out their logbooks or being
observed fishing with their clients, whatever; but
13 we'd like to see more enforcement. They're great to
pillage Sitka at the expense of people that live
14 there.

MR. ADAMS: I think that's happening
15 all over.

MR. LORRIGAN: It's not going away.
16 There's money in it, and that's another thing that
these villages should be concerned about is there
17 will always be a battle for your food. It will
never go away. There's money in it. Once the money
18 interest is here, you've got to fight all day long
every day. It's never going to go away.

19 Again, the, quote, unquote,
unregulated charter boat industry is destroying our
20 way of life in Sitka. You hear about in Angoon,
Kake, Hoonah, Klawock, Craig, a lot of interest in
21 using our Alaskan waters as a playground and people
coming here with the attitude that they're here for
22 volume and not the experience.

State regulations for sockeye do not
23 provide a priority for Subsistence. In Redoubt a
particular painful reality is if you're a head of
24 the house and you get a sockeye, you get to dip net
ten sockeye; you've got to take the ten, take them
25 to process, before you can come back to them. A
charter boat can come in and snag 25, 40 sockeye; it

1 can be done. It seems like it's a way for people to
2 have more successes or be drawn into the sport
3 fishing industry rather than doing the Subsistence
4 lifestyle by allowing a higher take with the sport
5 regulations.

6 And the regulations don't reflect
7 abundance. They're unrealistic time frames set up
8 to limit Subsistence fishery, yet the sport fishery
9 can continue on after the cutoff date for
10 Subsistence fishers.

11 There is some other language in here
12 that I'll turn over to Fred to have copied and give
13 them to you. I don't want to take up too much
14 time. Regulations should allow for the customary
15 and traditional harvest of seagull eggs. There are
16 people that have seagull eggs from San Louis Island
17 -- Ray mentioned this the other day --
18 photographers can go on the island, but people that
19 used to live there and traditionally gathered there
20 are not allowed there; and another thing is how to
21 apply the customary and traditional priority to
22 ANILCA and Native allotments. The Federal
23 Subsistence Management regulations at page 4 for
24 July 1, 1999 to June 30, 2000 should be changed to
25 address applications of the Subsistence priority of
ANILCA to Native allotments. In these regulations
there is no mention of Native allotments that are
held in restricted fee title. These lands cannot be
taxed, and the owners of the ancestral lands cannot
seal these lands for the United States. For these
reasons, Native shall be considered Federal lands to
which the Federal Subsistence priority applies. We
request the Council formally address this question
in your deliberations.

18 And 7, we believe the time has come
19 for tribes to have a role in the management of Fish
20 & Game on public lands. Whether by contract,
21 partnership, or co-management, tribes should have a
22 role in the framework. Government-to-government
23 relationships between the tribes in the United
24 States is the basis for tribal management in the
25 Fish & Game. In particular, for the Forest Service,
Subsistence is an area where the State does not have
enough resources or manpower to police
investigation. The Sitka tribe stands ready to
cooperate with both Federal and State management
authorities. We request that the Council formally
endorse and support the co-management opportunities
for tribal governments. And in closing, you're
always welcome in Sitka if your other plans don't

1 work out, especially this March when there's
2 herring.

3 MR. THOMAS: Thank you, Jack.
Mark has some more follow-up
4 comments.

5 MR. JACOBS: Thank you,
Mr. Chairman. I support the comments of Jack
6 Lorrigan. I think it's a serious matter. I know
that we might call it an industry and a sport
7 because it is a lucrative business as far as the
charter boats are concerned. The early fight
8 against the Subsistence they used in Article 8,
Section 15 that the natural resources of the State
9 of Alaska belong to the citizens in common; and they
stop right there. They don't read the rest of the
10 article that says that special privileges shall not
cause economic distress among other users. And
while they, you know -- sport fishermen are sending
11 tons and tons of fish south. Trawlers are tied up
post-closed season. There's no closed season on the
12 sport fishing. I know some of our people are in
this lucrative business, and I support them. But,
13 boy, we're getting charter boats from Florida and
New York and other parts of the country because they
14 can't make a business now down in their own states,
in the Lower 48. I think it's a very serious
15 matter, and it's a constitutional issue; I know
that, but there must be some loophole that they use
16 and that we can use -- that we can get rid of some
of this lucrative fishing. What they're doing now
17 is even the state, there's an experimental herring
roll where they began to locate their pounds in an
18 area where we pound our branches. There was a lot
of protest over that last year, and it's very
19 sickening and almost making a person cry when these
charter boats crowd the Subsistence users out of
20 Redoubt Bay. It's a serious matter that Jack was
talking about. And I think we should find some way,
21 some solution to benefit our own people. Thank
you.

22 MR. THOMAS: Gun nux cheesh.
Who is the coordinator for lunch
today?

23 A SPEAKER: It's not done yet.

MR. KOOKESH: I did.

24 They're still busy getting ready.

MR. THOMAS: Still shucking clams?

MR. KOOKESH: Yes.

25 MS. GARZA: Okay. We'll continue our
meeting until a lunch break, and then we'll just

1 adjust the hour of our lunch break.

2 MS. GARZA: I guess the comments to
3 Jack as well as to other people who are asking for
4 support is that it's much easier for us as a Council
5 if you come forward with a draft resolution;
6 because, in other words, Jack's comments will go
7 into the record; and probably nothing will be done
8 unless he pushes it, because we are all volunteers.
9 I know Lonnie has nothing else to do as soon as he
10 leaves here, so he can probably work on resolutions
11 for three days.

 (Laughter.)

12 MS. GARZA: But we do need that kind
13 of input from you; and even if it's rough, once we
14 have it we can work on it; but we go away, and then
15 Fred spends six months trying to beat something out
16 of us; but we're all busy doing our own life. So,
17 just to the public, that's what we need from you.

18 MR. JACOBS: In closing the mike
19 before lunch, I know that the State of Alaska lost
20 control of the fisheries; and I think that means
21 they logged some penalties, jail terms, fines; and
22 so on. I don't know if this Board has any kind of
23 laws and penalties to fall back on, but I want you
24 to know that there's been a lot of injustice dished
25 out to our Native people through fines and jail
26 sentences and confiscation of rifles. It's a very
27 serious matter to take a good look at. I know the
28 violators have to suffer some kind of penalty before
29 one can take a rifle away. Even if he owns 15
30 rifles, there's always one special rifle he uses for
31 hunting. But I think that -- it's an extreme
32 punishment when they confiscate a rifle. I helped
33 one Angoon guy, got a Christmas present, a nice new
34 rifle; he was accused of fishing from the boat.
35 Fish & Game was in the channel and said his boat was
36 not beached. They confiscated the rifle, suggested
37 an \$800 fine, and refused to prosecute because he
38 had three deer. The bag limit was two in this
39 special January season, and they refused to
40 prosecute his wife because she was a housekeeper;
41 but they piled the three-bag limit on him. Anyway,
42 we fought that; and we eliminated the \$800 fine. We
43 eliminated the jail sentence, but we couldn't get
44 the rifle back. I think that's very important to
45 consider. It's a livelihood, a way of life; and I
46 don't think we're violators when we're getting food
47 for our children and ourselves.

48 MR. THOMAS: Thank you, Mark.

 MS. WILSON: Mr. Chairman?

1 MR. THOMAS: Marilyn?
2 MS. WILSON: I can't see you so you
3 can't see me.
4 MR. THOMAS: We'll make up for it
5 later.
6 (Laughter.)
7 MS. WILSON: I wanted to ask if we
8 could get a copy of Jack's presentation. Is it
9 possible we could get it right away?
10 MR. THOMAS: He's going to give it to
11 Fred, and Fred will give it to us right away.
12 MS. GARZA: So that your request may
13 be submitted as resolutions.
14 MR. THOMAS: You guys know better
15 than that. Give us a proposal.
16 MR. LORRIGAN: It was Ray.
17 MR. THOMAS: You want Fred to do your
18 work too?
19 MS. GARZA: We've got Fred busy
20 already.
21 MR. WILSON: I have here, what all of
22 you requested was copies; that's our position
23 statement between the tribe and ANB. We work
24 closely together, and right now we have resolutions
25 for ANB's Subsistence committee. Sometimes we hold
the meeting at ANB or Sitka tribe. These are the
topics that we've been speaking about the last
couple of days. The position statement Jack talked
about was put together right at the end. It took
several meetings, but it took just right before we
came over here, and it just caught up to us.
MS. GARZA: I don't see where these
were passed.
MR. WILSON: I don't see where these
were passed. These were from Sitka ANB.
MR. THOMAS: What are you voting on?
MR. LORRIGAN: I was gone when all
this took place, so --
MR. NIELSON: These took place over
the period of meetings. These are the ones that
were finalized just before we went over here, that
caught up to us, as did the resolutions from ANB, as
you all requested. We had these -- these just
caught up to us too. I wish we would have had the
other people, but it's lost somewhere.
MR. THOMAS: Well, we've got until
November 5th to submit the proposals; so we need to
do that rather than leaving the interpretation of
these resolutions up to us because these don't
depict any action.

1 A SPEAKER: Well, these just tell you
2 where we're at. We're always looking forward, and
3 we work hand in hand. We have very good committee
4 members in Sitka on both the ANB and Sitka tribe;
5 and we'd like to step forward and help out; and as
6 far as Native communities go, we look at Pelican,
7 Hoonah, Kake, and ANB as our brothers since we all
border each other; and when we get together here, we
can talk amongst the tribes; and we're always
willing to help each other. We're here to help each
other. As the Council knows, everyone here is a
tribal member. Why are we here? Because of these
guys.

 MR. THOMAS: We try to help you
guys. Us guys -- us bureaucrats are here.

 We still need a proposal. I
9 appreciate all your guys' efforts; in many ways
you're a bureaucrat. Every time we give you
10 something to do to help with the process you give us
something different to put it back in our lap. I'm
11 going to do that to avoid that to make sure the
process stays intact.

12 MR. CLARK: I wanted to point out
that the letter from the Sitka tribe and Alaska
13 Sitka tribe No. 1, has all the elements of a
proposal. It -- we -- it's easy to put it in a
14 proposal format. We can do that over lunch.

 MR. THOMAS: Don't bother him; let
15 him think.

 MR. CLARK: They can do it. They can
16 do it.

 MR. THOMAS: How is lunch coming?
17 We're getting crotchety up here.

 Vicki?

18 MS. LeCORNU: Bill, I don't know if I
requested formally for information; but I still need
19 to get information on the volume of charter boat
fish that's leaving the State. I don't know --
20 that's the only figures that I know the State keeps
is that Alaska Airlines keeps the figures on. I'd
21 like to see those figures to know what exactly is
being taken.

22 MR. THOMAS: Did you request that to
anybody?

23 MS. LeCORNU: I mentioned that to
Fred, and I think he's mentioned that someone has
24 that information here.

 MR. THOMAS: You got that?

25 MR. SCHWAN: Thank you, Mr. Chairman,
Mark Schwan, S-c-h-w-a-n. I don't have any

1 handouts, although I have -- I have some
2 information. Let me give you quick background. The
3 Department of Fish & Game through working with the
4 North Pacific Fisheries Management Council began a
5 logbook program in 1998. Basically it's a statewide
6 saltwater charter boat logbook program where all
7 operators of charter boats have to record their
8 clients' fishing effort and harvest and catch. So,
9 we just have 1998 information; and 1999 really is
still a work in progress. I guess, we're waiting
for the information. We have at least for 1998
harvest that would come from the entire charter boat
fisheries. Not freshwater guide activities, not
guides that the clients just shoreline -- shoreline
locations; but in terms of halibut, it would be a
pretty good number of what the harvest has been. We
have it for '98.

MR. THOMAS: Could you -- could you
10 get that information?

MR. SCHWAN: I have one copy I
11 brought with me. I didn't make a bunch of copies.
I can give it to you.

MS. LeCORNU: Is that mostly
12 halibut?

MR. SCHWAN: That logbook covers king
13 salmon, coho salmon, mostly the important species;
14 halibut is included.

MS. LeCORNU: I guess the only
15 information they had previously to 1998 was Alaska
Airlines' information, poundage.

MR. SCHWAN: I guess what you say, I
16 guess, is leaving the state. It's kind of hard for
17 me to respond to that. Our department has had since
1997 what is called the coastal survey, statewide
18 harvest survey, which is recreational information on
harvest and information which stems from mailing
19 surveys to a sample of licensed anglers, both
resident and nonresident. And that survey has been
20 able to give us estimates of harvest of different
species by year for nonresidents and residents. I
21 assume the resident harvest is the in-state. We've
had information on nonresident harvests for various
22 species across the state for a number of years right
now.

MS. LeCORNU: Oh, I see. I had heard
23 that the only information that was being collected
24 was what was going out on Alaska Airlines.

MR. SCHWAN: We have no program that
25 monitors pounds of fish that are leaving the state
by Airlines. Our surveys are generally numbers of

1 fish; they are harvest information. We don't know
2 where that information is going. I want to assume
3 that nonresident harvest leaves the state.

MS. LeCORNU: My next question is:
3 Why does Alaska Airlines do this? Why do they
4 request the information? Is it for the State's
5 purposes or --

MR. THOMAS: Usually that determines
5 their weight on how much they're carrying.

MS. LeCORNU: I thought it has to do
6 with State information because there have been no
7 collection --

MR. SCHWAN: Frankly, I've got
7 amnesia on some point of Federal transportation law
8 that's eluding me; but I don't think it's a Fish &
9 Game program cooperatively with Alaska Airlines.

MS. LeCORNU: It is Federal? Yeah,
9 it might be.

MS. STEVENS: I have two questions
10 for Mark.

MR. THOMAS: Dolly, take over.

MS. GARZA: Millie?

MS. STEVENS: My question, Mark, is
12 that on the surveys, No. 1, does your department
13 know how many licensed charters there are? And what
14 percentage of the surveys do you get back? Do you
15 get 100 percent?

MR. SCHWAN: Are we talking about the
15 logbook program now?

MS. STEVENS: (Nods head.)

MR. SCHWAN: There is some
16 noncompliance. We know that -- and there's
17 delinquency. There's been that. We've seen that in
18 the first two years. We know that some people that
19 are issued logbooks don't report anything. They
20 probably weren't active. It's sort of in the early
21 evolution of the program. It's not totally, you
22 know --

MS. STEVENS: What happens if they
20 don't report? Nothing.

MR. SCHWAN: If they don't report, I
21 don't oversee the report; but I think the assumption
22 is that they're not active, that --

MS. STEVENS: Okay. Who can I
23 contact to get accurate information, being as how
24 it's not your department?

MR. SCHWAN: What kind of
24 information?

MS. STEVENS: On the logbook.

MR. SCHWAN: We can give it to you.

1 I have with me numbers of halibut, king salmon, coho
2 salmon that were harvested by anglers in 1998. I
3 have information here.

4 MS. STEVENS: I would be very much
5 interested in getting that information.

6 MR. SCHWAN: It's aggregated -- it's
7 broken out by kind of subunits of the Southeast,
8 prince of Wales, Ketchikan, Juneau, Sitka. I'll
9 give it to you.

10 MS. STEVENS: Thank you.

11 MS. GARZA: That would be good if the
12 whole Council could get a copy.

13 MR. SCHWAN: Sure.

14 MS. GARZA: Patty?

15 MS. PHILLIPS: Is there a margin of
16 error in those statistics based upon classified
17 information?

18 MR. SCHWAN: Well, the logbook
19 program isn't -- I use the jargon here; it's not a
20 statistical estimation program. It basically should
21 be a total accounting of the harvest. But the error
22 would come into just what people didn't report or
23 overreported or misidentified species. It could be
24 rockfish, but it's not where we always were sampling
25 10 percent of the charter activity and estimating
the total. Every operator that is active is
supposed to be recording everything that's being
taken and submitted on a weekly basis to the
department.

MS. PHILLIPS: What I was thinking is
that some individuals might under log what's put on
the -- in the logbook.

MR. SCHWAN: It's possible, or over
report.

MR. SCHWAN: But there's some
statements on the logbook form that say if they're
not being truthful they're in violation; but, I
mean, it's -- one of the things we've been doing in
Ketchikan, Juneau, Sitka, we have on-site, what we
call seal surveys where we basically interview
people when they come back from the docks; and we
know which ones are charter boats, and we have that
information to compare to what comes in on the
logbook program. In general, it seems pretty good.
We don't have that, though, in the remote areas.

MS. GARZA: Vicki?

MS. LeCORNU: I have one more area
that may be under reported; that is, you say you
have on-site for the charter boats, but I've seen in
Craig where there are operators that are not bona

1 fide charter operators; and they're carrying on a
full-time, large-scale charter operation.

2 MR. SCHWAN: Right. It gets down to
3 local enforcement, compliance. I mean, I know that
4 there are activities where people haven't registered
with the department. They don't get a logbook
issued to them. The activity basically is
unreported.

5 MR. KOOKESH: Wouldn't it be her
responsibility to report it?

6 MR. SCHWAN: That's right. There is
what's called safeguard program wildlife.

7 MS. LeCORNUE: I'm going to --

8 MR. SCHWAN: That would be very
appreciated just to report that. I know it
internally is a priority with our Fish & Wildlife
9 protection people. In Juneau they made an extra
effort this year to try to, basically, locate
10 violators in the charter boats.

MS. LeCORNUE: I will report it.

11 MR. SCHWAN: Yeah, she's right.
Report it.

12 MR. KOOKESH: I had a question.
13 Aside from the numbers they're giving us on the
volumes of fish, are we going to also get a number
of the charter vessels' captains that are out
14 there?

MR. SCHWAN: I didn't bring that with
15 me. Actually, I may have that in a report through
our registration program. You register annually as
16 a guide, guiding business, all people that have a
business. We provide those service registers within
17 the department. Anybody who is operating, working
as a guide, has to register annually with the Fish &
18 Game. I have a report of that for at least 1998.

MR. KOOKESH: So, you will provide
19 that with the volumes, the charters, the vessel
operators?

20 MR. SCHWAN: It might be better for
me when I get back to Juneau. That's kind of a
21 bound report. I can leave the one with Fred. I'll
see how to deal with that, but we have the number of
22 participants. The logbook is a better idea of
participants in the activity. The registration is
23 an intent to participate, but a lot of people
register to be a guide or a guide service business;
24 they don't do anything for the year. They just
register.

25 MS. GARZA: We had Dorothy Owen back
there. Did you want to say something before lunch?

1 MS. OWEN: Yes, I did; but I don't
know if you guys are all through.

2 MS. GARZA: Does anyone else have
questions for Mark? After Dorothy and Mark.

3 MR. THOMAS: Dorothy first.

4 MS. GARZA: She's been waiting all
morning.

5 MS. OWEN: My name is Dorothy Owen,
O-w-e-n. I'm representing Douglas Indian
Association, and I have a few -- actually six
6 questions --

MS. GARZA: Dorothy, can you get
7 closer to the mike?

MS. OWEN: -- six questions from
8 Demientieff. This is on page 3. Question No. 1:
In the use of incubation boxes, what protocols are
9 used in the selection of the eggs?

Question 2: Does the subject of
10 "enhancement" include consideration of present
hatchery stock management that may be damaging to
11 Subsistence stocks?

Question 3: Are there plans to
12 produce an ideal ratio of species and stocks within
a drainage when doing the enhancement planning?

13 On page 4 I have three more
questions. Under the terms of ANILCA, can customary
14 and traditional use be practiced on the Taku River
even though the river is outside the rural priority
15 area?

2: Would it be possible to place the
16 Taku River within the rural priority area?

3: Is a proposal to change the
17 customary and traditional use determination the
correct way to do this?

18 MR. THOMAS: Read the last one
again.

19 MS. OWEN: Is a proposal to change
the customary and traditional use determination the
20 correct way to do this?

MR. THOMAS: Bill, you got any
21 guidance on that?

MR. KNAUER: I guess my first
22 question, since I'm not familiar with the area is
the Taku within the boundaries of the Tongass
23 National Forest?

MR. CLARK: Yes, it already is a --
24 yes, it already is an area that has a customary and
traditional use determination. It's an area in
25 which rural people can do Subsistence activities.
Where this question comes from, if I'm not mistaken,

1 is how do we get the urban residents of Juneau, the
2 Native residents of Juneau, to be able to do their
3 customary and traditional uses on the Taku River?

4 MS. GARZA: To be more specific, it's
5 the rural residents of Douglas.

6 MS. OWEN: We are not Juneau; Douglas
7 is completely different from Juneau.

8 MR. CLARK: I misspoke, sorry.

9 MS. OWEN: Thank you.

10 MS. GARZA: One, to recognize Douglas
11 as a rural community that has Subsistence rights;
12 and, two, to recognize their customary and
13 traditional use of Taku, which they have used for
14 thousands of years; and to, three, provide the
15 regulations and means and methods to do that?

16 MR. KNAUER: That would be the
17 process. All of the rural determinations around the
18 State will be reexamined as soon as we have the
19 census data in from the 2000 census which normally
20 is about nine months after the start of the year --
21 it starts coming in about nine months after the
22 start of the year and goes to about 15 months.

23 MS. GARZA: So for Douglas, I --
24 Douglas IRA to get this process going and to keep it
25 going, do they initially start with this Regional
Council; or does a determination for a rural
residency or does a rural status go directly to the
Federal Subsistence Board?

MR. KNAUER: The Federal Subsistence
Board will automatically be examining the rural or
nonrural nature of communities around the state.
So, in that regard, there is -- there is no --
nothing that needs to be done there.

MS. GARZA: Okay.

MR. KNAUER: There is a process
that's outlined in the regulations, and it
identifies that the rural/nonrural status of the
communities around the State will be done; and plans
are already being made to do that.

MR. THOMAS: We have assurance that
Douglas will be automatically considered in that --
when that happens.

MR. KNAUER: It will be considered
during that process.

MR. THOMAS: Okay.

MR. KNAUER: That's not to say that
it will become rural or that it will be separated
from Juneau. I can't say that. Because the
regulations specifically say that communities that
are socially and economically integrated must be

1 treated as an aggregated community. So, it's
2 possible that it will remain associated with Juneau
for that purpose.

3 MS. GARZA: So, as the Federal
Subsistence Board reviews the whole status of rural/
4 urban communities, can communities submit additional
information that might be swaying; and that is where
Douglas IRA will step in?

5 MR. KNAUER: Yes, they could. There
will be adequate public notice in that regard; and
6 the Board will conduct hearings on that, possibly
through the Regional Councils.

7 MR. THOMAS: Okay.

8 MS. OWEN: Thank you very much. And
as Douglas's representative, I'd like to invite the
Council to Douglas on your next meeting or whenever
9 possible; because we would like to address you as a
community and give you some information. We would
10 like to address you as a community and let you hear
our concerns and not just one person, but a whole
11 Council and the village -- I mean, community. Thank
you.

12 MR. THOMAS: Okay. Thank you.

13 MS. GARZA: We had Mark Jacobs and
then Peter. Unless you're telling us it's lunch
time.

14 MS. GARZA: We'll have Mark and then
lunch.

15 MR. JACOBS: Thank you, Madam
Chairman. There's many things running through my
16 mind right now all because of the lucrateness of
charter boats. That was the original discussion;
17 they are not controlled. I don't care how many
surveys he had, I don't think they come back with an
18 accurate survey. Now, we have Native charter
operators also. What we -- what we get concerned
19 about is -- is a hundred thousand to a quarter of a
million dollars trawling boats that stayed tied up
20 while the charter boats are hauling in fish. The
airlines are full every day, pick up loads of fish
21 going south; and the same is true with the egg
fishery, sea cucumber. We find that the expert
22 managers knew nothing about the sea cucumber and yet
is exploiting the resource because of its
23 lucrateness. It seems that it's the money factor
is what controls the manager. The same is true with
24 sack row fishing. Now, I was called up to the Fish
& Game Office in Juneau and then in Sitka; and I was
25 asked, "How does the sea cucumber fishery impact
your Subsistence way of life?" I said, "I'm glad

1 you asked that question. Now that you have fished
2 out Sitka Sound of the sea cucumber, how long will
it take to replenish itself?" They didn't know.
3 "How long does it take for sea cucumber to replot
to the point where they can reproduce their own
species?" They didn't know. "Do you know whether
4 or not sea cucumber is important for producing
nutrients for other sea life?" They didn't know.

5 How can you be exploiting a resource
that you know nothing about? What happens when you
6 disturb a sea cucumber, like a Dungeness crab will
do, start picking at it? The only defense in sea
7 cucumber is to stiffen up. They are not mobile; and
eventually the sea cucumber, if you continue to
8 disturb it, it will emit its innards. When that
happens, the tale is for Dungeness crab and for
9 other rockfish that do the same thing. There is no
other predators that I know of besides man. Sea
10 cucumber does not die when other sea denizens
disturb them. They reproduce their own innards.
11 They don't die. So this is harmless as far as the
other predators on the sea cucumber.

12 I want to go back to the charter boat
thing. Charter boat is a commercial venture.
13 There's no two ways about it. Commercial venture.
And they should be closed down when other commercial
14 fishermen are sitting on the beach.

MR. THOMAS: Thank you.

15 Low tide, we're recessed until 1:45.
(Lunch break.)

16 MR. THOMAS: Okay. We will come back
to order. We're going to Tab E, "Federal Agency
17 Reports"; and I'll ask Fred to coordinate that by
setting the agenda. Fred, line them up. Robert is
18 the first time.

MS. GARZA: Mr. Chairman, just in
19 terms of looking at the entire agenda, are we still
losing a member before the end?

20 Maybe we can go over date and
location before the next meeting.

21 MR. ANDERSON: Patty gave me her
vote.

22 MS. GARZA: What did you give her?

23 MR. ANDERSON: I'm her proxy when she
leaves.

MR. THOMAS: What's the wish of the
24 Council? I heard Belize mentioned awhile ago.

MR. CLARK: I second that.

25 MS. GARZA: Mr. Chairman, if we are
going to do that now, I would move that we accept

1 the invitation of Douglas IRA.
 MS. PHILLIPS: Second.
 2 MR. THOMAS: Moved and seconded.
 Discussion?
 3 MS. WILSON: Question.
 MR. THOMAS: Question has been
 4 called. All those in favor say "aye."
 SPEAKERS: Aye.
 5 COUNCIL MEMBERS: Aye.
 All those opposed, same sign?
 6 Okay.
 MR. THOMAS: I went to tab E.
 7 A date? It's been so long so long
 since I've had one of those.
 8 MS. WILSON: One date.
 MS. GARZA: Patty said not in
 9 February. Is there anybody else -- I would say --
 when is the earliest?
 10 MR. THOMAS: How come not in
 February?
 11 MS. GARZA: She's not going to be
 there.
 12 How about the week of March 6th
 depending on ferry --
 13 The week of March 13th, depending on
 ferry.
 14 MR. ANDERSON: Not the week of the
 gold medal, you don't have attendance.
 15 MS. WILSON: I have the ferry
 schedule.
 16 MS. GARZA: When is gold medal.
 A SPEAKER: The last week in March.
 17 MS. GARZA: We don't even have that
 week on the list, I don't think.
 18 The last week of March starts the
 29th to 30th; that's the week of medal. It says
 19 Kodiak Aleutian, and shall we compete with them?
 MR. CLARK: We can, but it's better
 20 not to with them.
 MS. WILSON: March 13th.
 21 MR. ANDERSON: I would say the 20th,
 because there's a ferry reservations. I have
 22 reservations out of Kake only for the 27th. I'll be
 gone two weeks. If you want it then, I can adjust.
 23 MR. THOMAS: This one here, the
 government -- the Federal government.
 24 MR. ANDERSON: I'll adjust to it.
 MS. GARZA: There is a preference for
 25 the week of March 20th. Is there any opposition to
 that?

1 Yeah? The week before is better.
2 MS. STEVENS: Yeah, I think I have
meetings the week of March 20th.
3 MS. LAUBENSTEIN: I was going to
4 mention that the last week, because the WK delta and
Kodiak are going on, you may not get some of the
5 stuff that you could get if you have it a different
week. I'll be at that meeting.
6 MR. THOMAS: So far, one, two, three
people can't make it at three different times.
7 MS. GARZA: You can come back.
March 13th week, is there any
8 opposition to that?
So the exact dates will depend on
9 ferry schedule, but we'll go with that week in
Douglas?
10 Okey-dokey.
Another date for Dolly.
11 Of course, Dorothy knows who got the
Douglas IRA invitation in so that little jar of fish
is going to go this way.
12 MR. CLARK: It's nice to share.
13 MR. ANDERSON: Mr. Chairman, I think
she needs about 13 or 14 jars of fish to seal the
deal -- we do have some Subsistence fish left.
14 MS. GARZA: Got to get Taku River
first.
15 MR. THOMAS: The next meeting's in
Douglas, and we'll firm up the date as soon as we
can get our logistics figured out for the travel.
16 Ray.
17 MR. NIELSON: I wanted to remind
everyone that the herring spawn doesn't wait for
anyone. March 20th on.
18 MR. THOMAS: Oh, we'll be through
then. Us guys from down in southeast will stop in
19 Sitka on the way back from Douglas.
20 MS. GARZA: Get our flights --
MR. THOMAS: Go from tailor boy to
21 herring eggs.
Okay. Are we ready for Mr. Clark to
22 take over at tab E?
MR. CLARK: Tab E.
23 MR. THOMAS: Tab E.
Okay, Fred.
24 MR. CLARK: Mr. Chairman, members of
the Council, I think you'll probably have a lot of
25 fun with the next topic, the issue of retaining sex
parts on moose.
MR. THOMAS: Would you elaborate on

1 that?

2 MR. CLARK: If you look at your
3 packet under Tab E, it has all the details. If you
4 have had time to review that, I can skip a lot of
5 the details and just highlight the main parts of it;
6 and then the hopes are is that you will have some
7 suggestions for the board on what to do about this
8 issue, what your perspective is.

9 What was that, Dolly?

10 MS. GARZA: Nothing.

11 MR. CLARK: This comes out of the
12 Copper River Native Association, they proposed a
13 regulation awhile back that would make it no longer
14 necessary for hunters in the field to leave sex
15 parts attached to moose as they're removed from the
16 field.

17 Current regulations governing
18 evidence of sex and identity in the possession and
19 transportation of wildlife read as follows: If the
20 Subsistence taking of an ungulate, except sheep, is
21 restricted to one sex in the local area, no person
22 may possess or transport the carcass of an animal
23 taken in that area unless sufficient portions of the
24 external sex organs remain attached to indicate
25 conclusively the sex of the animal. However, this
does not apply to the carcass of an ungulate that
has been butchered and placed in storage or
otherwise prepared for consumption upon arrival at
the location where it is to be consumed. And I
notice there's a note in here. Antlers are not
considered sufficient evidence of sex in moose.

A key point in the discussion here is
that the State has had these regulations for a long
time, that the State regulations and Federal
regulations are currently identical. It's come up
before the board before, and the board voted to
retain the evidence of sex requirement.

MR. THOMAS: I have a question. What
was the justification for that regulation?

MR. CLARK: One was that the State's
been doing it for a long time. We're getting to the
reasons for retaining the regulation as opposed to
the reasons why people want a change.

MR. THOMAS: Okay.

MR. CLARK: There are four reasons
why people think that the regulation has been
opposed. One is that leaving the male sex organs
attached spoils the adjacent meet meat, especially
during the rut. The second is that retaining the
male sex organs of the moose is not a customary and

1 traditional practice in many regions of the state.
The third is that most Subsistence hunters currently
2 bring the antlers in anyway due to the economic
value in today's market. Fourthly, retaining the
3 male sex organs is a culturally offensive practice,
and Subsistence hunters should be able to tell bulls
4 from cows and not harvest cows when prohibited there
may be other arguments people have why this
5 regulation should be changed.

They've also listed four reasons why
6 they would like -- some people would like to keep
the regulation as it is now.

7 One is that it provides a means to
ensure compliance with the bull-only harvest
8 regulations; it's a monitoring technique. It also
provides the option for Subsistence hunters to leave
9 the antlers in the field. So, if Subsistence
hunters couldn't give a hoot about the antlers, they
10 can leave the antlers in the field and leave the sex
parts attached and bring it in with the rest.

11 Third is that the winter -- that's
December through February -- Subsistence harvest of
12 antlerless bulls can be monitored. These harvests
currently occur in units 9D, 9C, 9E, some in 17, 18,
13 19, 20, 22, and 25. So, I don't see any of those
listed for southeast.

14 The fourth reason is that Federal
regulations are currently consistent with state
15 regulations which was the first item that we brought
up before, which simplifies requirements for moose
16 hunters whether they are hunting on state or Federal
lands.

17 I'm surprised nobody in the Council
has noticed that I'm not Donna Dewhurst yet.

18 MR. THOMAS: Since we're talking
gender, I hoped you'd avoided that.

19 MR. CLARK: Okay.

So, what the board is asking of the
20 Council and the office of Subsistence management
staff is, again, four questions. I'll just go
21 through them. This regulation serves the purpose of
protecting cow moose in bull-only harvest
22 strategies. Can you suggest any alternative methods
of achieving this goal -- the goal of protecting
23 cows, that would be less culturally offensive or
would better preserve the quality of the meat?

24 MR. THOMAS: Does this apply to other
user groups as well?

25 MR. CLARK: I think this applies only
to the Federal Subsistence regulations.

1 MR. THOMAS: But other user groups,
2 there are hunters that can go out and bring them
back without bringing parts back?

3 MR. CLARK: I'd have to ask for
help.

4 MR. KNAUER: Everybody's got to do it
currently.

5 MR. THOMAS: I thought biology was
more technical than that at this point. I know a
6 deer -- with deer -- I mean without the head or the
sex organs, you could tell whether they're a buck or
a doe by the rib structure. The doe doesn't have
7 the rib structure. They haven't found something in
moose yet? Do we need to come up and give them a
8 biology lesson or what?

9 MR. CLARK: Any biologists want to
answer that?

10 MR. THOMAS: I think we got some --

11 MR. CLARK: I did attend the
Southcentral Council meeting, and a question similar
to this one came up; it wasn't this question
exactly. It was about whether there were other ways
12 to tell between a male and a female moose; and Donna
Dewhurst, who gave the presentation at that time,
13 talked about the pelvic structural of the moose and
the difference between the male and female which is
14 to be expected; but it's very hard to get to it,
especially if you just articulated the animal for
15 transportation, taken it apart.

16 MS. GARZA: So the issue is that they
need something that is concretely enforceable. You
don't really want to bring a pelvic structure into
17 the court if some guy says, "You're dang right.
That was a male."

18 MR. CLARK: Right. That's what
they're saying they need.

19 MR. ADAMS: Why are antlers excluded
as evidence of a bull?

20 MR. CLARK: I don't think they are
excluded as evidence.

21 MR. ADAMS: Why can't they use that.

22 MR. ANDERSON: The it's a burden to
pack out, wouldn't it?

23 MR. CLARK: Again at the Southcentral
meeting there were stories that people related about
the possibility of people just taking antlers with
24 them into the field, shooting a doe, bringing the
meat out and bringing the antlers back out.

25 MR. THOMAS: Would the head go with
the antlers.

1 MR. CLARK: That was brought up too,
2 Subsistence users, they haul the head out. If they
3 have to leave the head, they go back in and bring it
4 out.

5 MS. PHILLIPS: Did the
6 Wrangell/St. Elias Council address this issue; do
7 you know?

8 MR. CLARK: Not that I know of.

9 MR. SUMMERS: Not until our next
10 meeting.

11 MR. CLARK: Speak up so they can hear
12 you.

13 MR. SUMMERS: Clarence Summers,
14 S-u-m-m-e-r-s, National Park Service. Wrangell/
15 St. Elias will have an opportunity to address the
16 questions that are before you at the upcoming
17 meeting. We don't have a date yet, because we're
18 looking at maybe a December meeting.

19 MR. THOMAS: How long has that
20 regulation been in place?

21 MR. CLARK: From time immemorial.

22 MR. THOMAS: Oh.

23 Both ways.

24 MS. GARZA: I guess we're not jumping
25 on this because most of us are not moose hunters.

26 MR. THOMAS: It's the nature of the
27 topic. I wouldn't jump on it either.

28 (Laughter.)

29 MR. CLARK: You all have the
30 questions in front of you, so maybe I could just
31 read them through so that they're on the record; and
32 then, should you wish to address any of those at
33 that time, you can.

34 MR. ADAMS: Just one comment before
35 you go any farther. I know -- I never got my moose
36 this year, but I know that several people did; and I
37 saw them bringing their moose in, and they brought
38 them in with the antlers and the heads attached; so
39 it's not such a big deal.

40 MR. CLARK: In some areas it seems to
41 be quite a deal.

42 MS. GARZA: All the Yukon/Delta
43 area.

44 What if it were an either/or. Do you
45 have to bring head and antlers or --

46 MS. WILSON: Both male and female.

47 MS. GARZA: You bring the head and
48 antlers if you prefer; if not, then you bring --

49 MR. ANDERSON: Mr. Chairman, in Kake
50 they require us to bring the head of the moose that

1 is killed and turn it in at the local check-in place
2 to verify the sex; and why should this be different
3 up north when we have to do the same in Kake or down
4 in the Southeast?

5 MR. THOMAS: Yeah.
6 MR. CLARK: I agree.
7 MR. ADAMS: Again, why is it
8 different in different places? I know in Yakutat,
9 all we needed to do was bring the lower jaw in. I
10 know for me, one of the first things that I taught
11 my kids when we shoot the moose is cut that pee back
12 out of there because it does mess up the meet real
13 quick.

14 MR. ANDERSON: It spoils.
15 MR. ADAMS: It spoils real quick.
16 MR. THOMAS: He meant to say
17 bladder.

18 MR. CLARK: Thank you for the
19 clarification.

20 (Laughter.)
21 MR. THOMAS: What's the wish of the
22 Council? Thumbs up? Thumbs down?

23 MS. WILSON: Mr. Chairman --
24 MR. THOMAS: I think it's
25 disgusting.

26 MS. WILSON: Will you quit making
27 remarks?

28 (Laughter.)
29 MR. THOMAS: Observations.
30 MS. WILSON: As a Subsistence user, I
31 always feel insulted when we have to be regulated so
32 closely. They always tell us in the regulations,
33 "Well, this is in the rules because we've been
34 under State for so long." Nonwasteful manner and
35 the distrustfulness when most of us, we just want to
36 go out and get our meat, and -- for the winter, or
37 our fish. But we're always looked upon like we're
38 going to steal something or take something that we
39 shouldn't, and I get so tired of it. They never say
40 to the sportsmen when they go out for big horns or a
41 big bear to do -- or get it in a nonwasteful manner
42 in the regulations; but they do it when it's for the
43 Subsistence regulations.

44 So, I, for one, am against this. I
45 don't like it. I vote against it.

46 MR. CLARK: Just for clarification,
47 is what you're saying is you would be against the
48 regulation as it's now written; or you would be
49 against changing it so there aren't some variations
50 on it? Some variation of the regulation or no

1 regulation at all?

MR. THOMAS: What does the regulation
2 say now?

MR. CLARK: That's the current
3 regulation that I read before that's on the first
page in the book.

MR. THOMAS: Uh-huh.

MR. CLARK: Under Tab D, about three
4 quarters down in the discussion.

MR. THOMAS: Okay.

MS. GARZA: So, we have moose hunting
5 in the Wrangell area, Haines area, and Yakutat
area.

MR. THOMAS: And Kake.

MS. GARZA: I mean, my first
6 impression would have just been to defer to
Yakutat/St. Elias group; but it seems that we have
7 more moose hunters than I thought.

MR. SORUM: Mr. Chairman, as far as
8 the Takeen River and Thomas Bay and that area, the
only thing that would worry me is that it's already
9 an ongoing argument whether the moose is on Federal
or State; and it's just a matter where everybody
10 thinks the tide line is. That's the only thing that
would worry me is if you divulge too far from the
11 State regulations on that. It's already a
headache. I don't have an opinion one way or the
12 other, but I know that's almost been a problem in
Haines just whereas in Federal -- where is the
13 Federal land and where is the State land?

MR. KOOKESH: Mr. Chairman?

MR. THOMAS: Yes.

MR. KOOKESH: One of the things I do
14 is I subsist, and the best practice in subsisting is
we try not to have anything -- let the organ have
15 anything to do with the meat; and I think the same
rule should apply also here. It's one of those
16 rules where they should have hired an Indian to make
up the regulation.

MR. CLARK: We did.

MR. KOOKESH: Because in Subsistence,
17 my brother-in-laws we all take the sex organs out
because it can damage; especially in the rut, we
18 have to throw it away. We can't -- it's not right
to bring it out. I support Lonnie's conclusion
19 about just bringing the head out.

MR. THOMAS: Chair entertains a
20 motion.

Dolly?

MS. GARZA: Mr. Chairman, I guess

1 that was my discussion on either/or, is that some
2 people may choose to bring the head and antlers out
3 and leave the sex organs in the field; and others
4 who are far in the interior and don't want to carry
5 50 pounds of something they're not going to use
6 would prefer to leave the head in. I'm
7 uncomfortable because we don't want to make policy
8 for other parts of the State that's going to make
9 their subsisting difficult; because, you know, some
10 of those guys, they go up the Yukon; and they've got
11 a long hike from there, and they don't have any
12 interest in the head, or they may eat it in the
13 field and then have to bring the rack back.

MR. THOMAS: I don't know anybody in
the Yukon that hikes. Everybody up there has got
four-wheelers.

MS. GARZA: I still know hikers up
there.

MR. KOOKESH: Isn't the proposal
calling for the elimination -- to eliminate the
evidence of sex requirement?

MR. THOMAS: What would be wrong with
making an amendment to the existing regulation by
not requiring the organs to be attached? Take them
out, remove them, put them in your pocket, and bring
them back? That way it don't spoil the meat.

MR. KOOKESH: Send it to the
appropriate agency that wants it.

(Laughter.)

MR. THOMAS: Here's your evidence
right here.

MR. CLARK: Just as a point of
clarification, this regulation does apply to
ungulates other than moose and deer -- it applies to
deer, and it doesn't apply to the bladder. So, if
you want to take the bladder out, you really should
do that.

MR. ANDERSON: You're right.

MR. ADAMS: You have to be careful
how it's done; otherwise it's -- the way that you
cut it out, you might accidentally cut the bladder
while you're trying to save the sex organ; and then
that's where you get your meat into trouble.

MR. THOMAS: You got to have a
surgical nurse to prevent the spoilage?

MR. KOOKESH: Can you do that?

MR. CLARK: Cut out the bladder?

MR. KOOKESH: Have you hunted enough
to leave the sex organ intact without removing all
the rest so that it's identifiable?

1 MR. KNAUER: Yeah, yeah.

2 MR. KOOKESH: I know on a female deer
3 when you shoot a doe they have nipples except for
4 the bucks have the protruding part, but you can
5 definitely spot a doe -- I can go out there and
6 shoot a doe, and I could pull the sex organ out; and
7 you can see the nipples on a doe. You know it's a
8 doe.

9 MR. CLARK: That should be
10 sufficient.

11 MR. KOOKESH: Teats, the nipple.

12 MR. JOHNSON: Some of the big game
13 directions now for preparing good game in the field,
14 ADF&G came out with a new video; one of the ways you
15 do it, you don't open up the body cavity at all; you
16 cut up the total carcass in sections, and you avoid
17 ever going into that body cavity where all matter of
18 things are. So, my point is, if you're going to
19 follow that kind of field dressing, what's the point
20 of running the risk of even dealing with anything
21 associated with the urinary tract, sex organs or
22 internal, whatever, gallbladder, anything that could
23 taint the meat? It would seem reasonable that
24 either the antlers or, again, like what Dolly said,
25 an either/or, if some folks feel that they want to
do that, they want to attach and bring the parts
out, fine. If not, bring the antlers out.

MR. THOMAS: We're getting too
nebulous now. Either we do or we don't.

MS. WILSON: Mr. Chairman, can we
make an amendment to it from the Southeast region?

MR. THOMAS: Yeah. Wasn't there a
motion awhile ago?

MS. GARZA: No, you can make the
motion.

MS. WILSON: To accept it and then
amend it?

MS. GARZA: I think we're looking for
just a recommendation, so our recommendation will go
to a statewide -- to a Federal Subsistence board who
will then figure out what they were going to do.

MR. ANDERSON: Either/or.

MR. CLARK: This will come back to
the Council at the next meeting.

MS. PHILLIPS: You should be able to
ask the hunters.

MS. GARZA: Cut them off and put them
in your pocket; that works.

MR. CLARK: Mr. Chairman, some of the
other questions that we would like some feedback on

1 is about whether you think this should be a
2 statewide issue that should be consistent across the
3 state, this variation or any variation of this
4 regulation, or whether it should remain -- or stay
5 in the region. Should there be regional variations
6 of the regulation, or should it be statewide?

7 MS. GARZA: I think there should be
8 regional variations.

9 MR. THOMAS: If we're going to be
10 responsible in the regulatory process, anybody
11 that's hunted and dressed these animals out there
12 knows that the risk of leaving those intact really
13 elevates the chance of meat spoilage; and that's the
14 only part that's that imposing. The other organs
15 that you mentioned are by comparison easy to remove
16 intact, and a little bit of leakage from them can be
17 wiped up; but in this particular case, especially
18 one that doesn't go for a long time, that can be
19 sensitive. But just the fact of the threat of
20 spoiling meat is not good harvest practice. Why
21 harvest spoiled meat?

22 MR. ANDERSON: Mr. Chairman. I think
23 the third word in the paragraph of the description,
24 Subsistence pretty well dictates the direction that
25 we should proceed.

MR. THOMAS: You make it, and I'll
look for your second.

MR. ANDERSON: Mr. Chairman, I make a
motion that we go with the Subsistence use
designation.

MR. THOMAS: We can well find that
thing and get back with you.

MS. WILSON: First page --

MR. ANDERSON: Where we first
started.

MS. GARZA: That's the current
regulation.

MR. ANDERSON: Eliminating the -- let
the current regulation remain.

MR. ADAMS: It's requiring sex organs
to be showing as evidence.

MR. ANDERSON: Well, see, are we --
under this, are we talking about commercial guiding;
or if it's for Subsistence, I would say eliminate
the sex organs and the whole thing.

MR. CLARK: Mr. Chairman, that
relates closely to the third question on the final
page of this briefing paper that it would be a
problem for local Subsistence users if this
requirement were eliminated in Federal Subsistence

1 regulations but left in the state regulations.

MR. ANDERSON: It is a problem.

2 MR. SORUM: Unless we don't know what
the state guides are going to do yet.

3 MR. THOMAS: Well, you know, we've
4 heard some very compelling testimony regarding the
historical management of Subsistence in Alaska; and
5 people are looking for a change in that, and one of
our primary reasons here is to -- in order to bring
6 it into compliance with ANILCA is to be the most
resourceful of whatever we harvest; by removing them
7 they're more resourceful than taking a chance on
spoilage. I don't think we need to strive for
8 continuity just for the sake of continuity. It
doesn't say that it's correct or the best way to
go.

9 Dolly.

MS. GARZA: I think that maybe what
10 we need to do is just send up what we either support
or just additional suggestions, because it is going
11 to come back. I mean, initially I favor the
either/or; but I think that, even if we stayed with
12 sex organs, I don't see that they need to be
attached. It's not like we're going to find some
13 laying on the ground that we can throw in our
pockets to show that this female is actually a
14 male. That's the concern we have is that if it
stays attached then we would be subject to
15 unwarranted waste which would make us criminals
immediately because we're wasting meat; but if we
16 just had them and we took them off and Bill Knauer
is shaking his head "no," but I don't understand,
17 we're not going to find them on the ground and throw
them in our pocket and say, "This is a male."

18 MR. ANDERSON: Mr. Chairman, looking
on the next page, we have an option that says we
19 could -- it provides an option for Subsistence
hunters to leave antlers in the field. I would make
20 that motion that to get something on the deal that
we adopt the No. 2, support No. 2.

21 MS. WILSON: Support the opposition?

22 MS. GARZA: That would be keeping the
sex organs attached.

23 MR. ANDERSON: They'd have the
option, head or sex organ.

MS. GARZA: That's an either/or.

24 MR. CLARK: Except for the fact that
antlers are not considered sufficient evidence of
25 sex in moose.

MR. ANDERSON: Have you ever seen a

1 cow with antlers?

MR. CLARK: That's what the
2 regulations say.

MS. WILSON: They're talking about
3 deer also.

MR. KNAUER: The -- where it says
4 antlers are not considered sufficient evidence of
sex, what you're recommending is that that would be
5 eliminated, that you're recommending -- if you were
to adopt the proposal either/or, you're saying that
6 you would accept the evidence of antlers -- as
evidence of sex in that case.

MR. SORUM: Just have them make sure
7 the antlers are attached to the head. Bring one in
8 together.

MR. KNAUER: That is a feasible
9 recommendation, but not the only possible
recommendation.

MR. THOMAS: Let me offer the Council
10 this: If it makes practical sense of pirating and
using and preserving, let's see how you want to do
11 it. Consider all those aspects of usage of that
product. In this case, moose or deer. You know, if
12 you were to sketch out on a board what you would do
to field dress an animal to make sure you took the
13 best product home, you certainly wouldn't see it
leaving the sex organs attached.
14

MR. KOOKESH: In the case of actual
15 Subsistence we don't bring the sex organs home.
They have no value. It's not like we're littering
16 in the woods. As a Subsistence hunter, we don't
bring the sex organs home in true Subsistence.

MR. THOMAS: And other motive --

MR. KOOKESH: And sport, probably.

MR. THOMAS: Our mode of harvesting
18 isn't that of others. I don't know what sport
19 hunters do with their meat, but Subsistence say they
use it. I don't know if sport hunters play with it
20 like a game or not.

Vicki.

MS. LeCORNU: I guess I'm wanting a
21 little bit of clarification. If I understand this
correctly, this came from the Copper River, that
22 they made a proposal to the Federal Subsistence
board. Is that how it went, Fred?
23

MR. CLARK: That's correct.

MS. LeCORNU: They were turned down?

MR. CLARK: Yes.

MS. LeCORNU: That's the part I don't
25 understand. That should not have happened; because

1 that, to me, is detrimental to Subsistence.

2 MR. KNAUER: Mr. Chairman, I need to
 3 correct the statement. They were not turned down.
 4 The Federal Subsistence board felt that this issue
 5 was such that they needed information and
 6 recommendations from all Councils around the state;
 7 so, it was deferred pending the research of the
 8 issue because the Subsistence priority in ANILCA
 9 says "consistent with sound management principles
 10 and the conservation of healthy fish and wildlife
 11 populations." So, that is -- that is where this
 12 regulation is coming from originally, the
 13 identification and prevention of breeding stock in a
 14 male-only harvest regime.

15 MR. THOMAS: Now we get to find out
 16 who deems it sound management practice. What does
 17 it mean by sound management?

18 MR. KNAUER: Sound professional
 19 wildlife management.

20 MS. GARZA: Mr. Chairman?

21 MR. THOMAS: Yes, Dolly.

22 MS. GARZA: I would move that the
 23 Southeast regional advisory Council support an
 24 either/or position for identifying moose,
 25 Subsistence moose hunts.

MR. SORUM: I'll second that.

MR. THOMAS: Moved and seconded.
 Discussion?

MS. GARZA: It's my understanding
 that this will just go forward for discussion and
 that we will see it again, and this is not our final
 time we'll look at this.

MR. KOOKESH: Define "either/or."

MS. GARZA: Head with rack or the sex
 organs.

MR. SORUM: Attached.

MR. THOMAS: Further discussion?

MS. GARZA: Either/or option.

MR. THOMAS: Further discussion?

MR. ANDERSON: Call for question.

MR. THOMAS: The question has been
 called. All those in favor say aye.

COUNCIL MEMBERS: Aye.

MR. THOMAS: Those opposed?

Motion carries.

MS. GARZA: Just for discussion,
 Mr. Chairman, I guess as we get this back from
 whoever we're going to get it back from, I would
 like some kind of information on why the sex organ
 needs to be attached and why it can't just be in a

1 Baggy in somebody's pocket.

MR. THOMAS: What makes it sound?

2 MR. CLARK: Dolly, that question did
3 come up at the Southcentral meeting; and it comes
4 down to, again, the idea where somebody could, you
5 know, keep the sex parts in their freezer and take
6 them out in the field with them. There was some
7 debate back and forth about whether that was really
8 a concern or somebody's pipe gene.

MR. THOMAS: I dealt with that in the
9 past, and that's a negative characterization of the
10 user group; and we're not going to tolerate that.
11 You've heard that before.

MR. CLARK: Yes, I was just reporting
12 what came up.

MR. THOMAS: We're not going to
13 tolerate negative characterization.

MR. CLARK: Mr. Chairman, now that
14 I'm done doing my imitation of Donna Dewhurst, the
15 next document would be migratory bird treaty
16 amendments update. The Fish & Wildlife person who
17 is heading up this effort, Bob Stevens was planning
18 on attending this meeting; and I learned today that
19 he is not coming to do this update. So, we have the
20 option of either me winging it or getting Bill
21 Knauer or other folks in the audience to help me do
22 it. Or we could defer this to a different time.

What's your preference?

MR. THOMAS: Defer.

MR. CLARK: If we defer it, then
23 you're not going to be able to get your input to the
24 people doing the migratory bird regulations at this
25 time.

MR. THOMAS: Don't give us an
26 option. Give us a report.

MR. CLARK: Okay. In the -- there
27 are four options that have been provided in your
28 book about different management bodies that are
29 being looked at for making recommendations for
30 migratory bird regulations. There will be spring
31 Subsistence hunting for migratory birds in many of
32 the rural areas of Alaska. Southeast Alaska isn't
33 identified as one of those at present. It was
34 decided in regulations to amend the migratory bird
35 treaty. This is the third step in the process to
36 fulfill the treaty amendments and formally legalize
37 spring Subsistence hunting. So, part of this is to
38 develop management bodies; and we've had people come
39 and talk to the Council before that this was -- this
40 was coming, that they were trying to establish some

1 sort of a management advisory sort of a system.

2 These management bodies will
3 recommend things like seasons, like enforcement
4 policies, population, harvest monitoring, education,
5 research, use of traditional knowledge, habitat
6 protection. Again, these are recommendations.
7 They'll be sent to the U.S. Fish & Wildlife service
8 regulations committee in Washington, D.C. and to the
9 Flyway Councils.

10 So, what they're looking for
11 essentially is your preference for what kind of
12 management body you would like to see.

13 Management body model 1 -- I think
14 I'm going to ask for some help if Bill -- how these
15 things work or not -- it looks like there are 12
16 Native organizations, three Federal organizations
17 and three State organizations that will be involved
18 as part of the management body. They would produce
19 the recommendations that go to the Fish & Wildlife
20 regulations committee and the recommendations to the
21 Flyway Council. So, that's that box about three
22 quarters down on the page; it's Federal 3, after and
23 12. If you compare that to model 2, it reduces the
24 numbers, ten resource advisory Councils; those are
25 the ones that are listed on the arrow going down.
So, there would be two Federal groups, ten Native
groups, two State groups.

MS. GARZA: Model 2?

15 MR. CLARK: Model 2.

16 MS. GARZA: Model 2 would be
17 something like whoever the regional advisory Council
18 appoints?

19 MR. KNAUER: Yes.

20 MS. GARZA: The second page, right?

21 A SPEAKER: It says at the bottom of
22 the first page that model 2 would be one
23 representative from each regional advisory Council,
24 plus the state and Federal representatives.

25 MR. SUMMERS: Fred, could I say one
thing.

MR. CLARK: Sure.

MR. SUMMERS: Clarence Summers, it's
my understanding from having attended a couple of
meetings that model 2 would empower existing
regional Councils, No. 10, they're included here as
the management body, the advisory body for
promulgating regulations, the first step in this
process. So, model 2 empowers this Council, in its
present form, as the advisory management body for
Southeast, as I understand it.

1 Thank you.

MR. CLARK: Thank you, Clarence.

2 Model 3 looks at seven different
3 groups, each of which is made up of Federal, State,
4 and Native organizations.

Model 4 breaks the State into three
5 management areas. So that's the essential
6 difference, is that Model 1 is essentially one group
7 that would be the management body. Model 2 has the
8 ten regional advisory Councils, essentially, as the
9 groups; Model 3 has seven zones for areas, and Model
10 4 -- I wish Harold was here, Harold Martin; because
11 he's been working with this quite a bit; and he
12 along with the people he's been working with,
13 they've developed aerial alternatives. He mentioned
14 that as he was leaving today; that would be a
15 variation, I think, on Model 3 because there were
16 seven management bodies. So, if anybody else has
17 any information on that.

MS. GARZA: Mr. Chairman.

11 MR. THOMAS: Dolly?

MS. GARZA: I -- for discussion I
12 would move that Southeast Advisory Council support
13 model 2.

13 MR. ADAMS: I second it.

MR. THOMAS: Moved and seconded,
14 model 2. Discussion?

MR. ANDERSON: Mr. Chairman, does
15 anyone remember exactly what Mr. Martin's
16 recommendation was? Could we go back to the record,
17 or should we just continue to go ahead and pass
18 something that may not be in the best interest of
19 the Southeast?

MR. THOMAS: Did he leave his
18 recommendations? I don't think he left
19 recommendations?

MS. GARZA: I think that model 2 is
19 the good model for Southeast.

20 MR. KOOKESH: Can I ask why?

MS. GARZA: Well, the next two, Model
21 3 and Model 4, are fewer number of regions, which is
22 not to Southeast's advantage. So for that reason it
23 goes between 1 and 2. I think with Southeast
24 Natives Subsistence Commission you'll have KIC and
25 Sitka tribe and any tribe that's not happy
complaining that it shouldn't be since that's an
appointee. By going through here, it could rotate;
it may be one person one year or one person the next
year, but anybody from Southeast would have the
opportunity to be in there. I just think it would

1 have the least amount of politics.
 MR. THOMAS: Mary?

2 MS. RUDOLPH: I think it would be
 better for the regional advisory Council. I've been
 3 up on this one for a few years now, so we're kind of
 familiar with this.

4 MR. THOMAS: We meaning who.
 MS. RUDOLPH: The board.

5 MR. THOMAS: Yeah.
 MS. LeCORNU: Mr. Chairman, I would
 6 support Management Body 2 also because we're
 included -- we're not included in this one, simply
 7 for that reason.

MR. ANDERSON: Right. Agree.

8 MR. THOMAS: Further discussion?
 MR. ANDERSON: Question.

9 MR. THOMAS: Question was called
 for.

10 All those in favor, say "aye."
 COUNCIL MEMBERS: Aye.

11 MR. THOMAS: All those not in favor,
 say "no."

12 The "ayes" have it.

MS. GARZA: Tell Harold we followed
 13 his recommendation as Bill outlined.

MR. CLARK: Are we ready for the next
 14 topic?

MR. THOMAS: Yes, sir, yes, sir.
 15 Well, this has been kind of fun.
 First I get to do my Donna Dewhurst imitation; then
 16 I get to do the Bob Stevens imitation, now I get to
 do the Phyllis Woolwine imitation. I apologize to
 17 the Council in that my imitations are a poor
 imitation for those people being here, because
 18 they're all knowledgeable folks and could answer
 your questions much better.

19 The topic is special Forest products
 policy. Phyllis has filled in most of you. All of
 20 you that have been on the Council until just now
 what's been happening as the Forest Service goes
 21 forward with developing a regional policy on special
 forest products. For those of you who don't know
 22 what we're considering special forest products, it's
 essentially any of the forest plants that are not
 23 commercial timber. That's a whole lot of stuff.
 The reason this came about is partially because of a
 24 recommendation by the regional advisory Council.

MS. LeCORNU: You said commercial
 25 timber, and that might fit with -- not fit with
 traditional use. What was the comment about

1 commercial --

2 MR. CLARK: Well, just the basic --
3 this is a general definition of what is trying to be
4 looked at as the definition of special forest
5 products by looking at what it is not.

6 MS. LeCORNNU: You say it is not --
7 MR. CLARK: It is not like clear-cut
8 logging.

9 MS. LeCORNNU: But yet that could
10 conflict with the uses of the area. Bird gathering,
11 for instance.

12 MR. CLARK: That would be part of
13 it.

14 MS. LeCORNNU: That would conflict
15 with commercial use is what I'm saying. That is
16 your duty, to protect for the priority of the uses
17 above and beyond the commercial interests.

18 MR. CLARK: But that has been brought
19 up.

20 MR. KOOKESH: Where in E is it?

21 MR. CLARK: We don't have a report
22 developed. I just wanted to give you a brief update
23 of what state this policy development is in and tell
24 you what the next steps are going to be.

25 There have been a series of meetings;
there's a special forest products work force that is
primarily Forest Service folks that is involved with
a lot of other people too, and it's been expanding
over the last several months to more strongly
involve tribes. One of the first things that we did
as we were starting to develop this policy was we
brought it to the tribes first. What we did is
looked at the product that we were developing as
staff work, essentially, and brought it -- sent it
out to folks to review; and there have been comments
that have been coming up in kind of -- kind of
slowly. It's been a two-year process so far.
Finally, we've gotten to the point now where we've
more actively set up government to government
consultation meetings dealing with this. We've had
one so far -- I believe it was last month -- that
was attended by Douglas Indian Association and
Tlingit/Haida; and that was a starting point towards
another meeting which is set up for November 1st in
Juneau, and tribal representatives from all over
Southeast and Southcentral have been invited to
attend that. Hopefully, this will be the finalized
policy and get the regional-level policy in place,
and then we'll be able to develop local level
policies and implementation of plans of what to do.

1 The main idea is that if you look at what's
2 happening in the Lower 48, especially in the
3 Northwest, the importance of gathering mushrooms,
4 ferns, medicinal products from the forest, on and on
5 is growing at a great rate. The forests in
6 Washington and Oregon have been issuing permits for
7 this type of activity for some time. And those
8 permits in some districts are numbering in the
9 thousands. It's gotten to the point where it's
actually dangerous to be in the woods because people
have staked off areas where there are mushroom
hunting areas. It's not that bad in Alaska, but it
may be at some time. What we want to do is set up
some way to set up requests for commercial uses. We
want to be able to permit appropriately commercial
uses and not require permits for customary and
traditional uses.

MR. ANDERSON: Mr. Chairman --

10 MR. THOMAS: Lonnie?

MR. ANDERSON: I understand that
11 quite a few people are using a -- materials, you
12 know, the plants and stuff. Is the Forest Service
13 giving special permits to individuals to harvest,
14 say, plants and stuff; or should the tribes be
involved? I would think that our tribe would be
much better to see which individuals would be
appropriate to use -- get the permits instead of the
State issuing permits gratis.

15 MR. CLARK: Good question, Lonnie.

That is -- that type of question has
16 come up repeatedly; and what we're trying to do in
17 this policy, which is a draft right now, is to set
18 up a mechanism by which tribes can be responsible
for programming in an area. It would still have to
go through the district ranger. The district ranger
can't divest the decision-making capability, the
19 responsibility. But he can provide for or she can
provide for the tribe to do most of the footwork, as
20 it were.

MR. ANDERSON: My next question would
21 be how soon could this be in effect? I know that we
22 have potential intruders into -- that want to do
something in our area; and I would think that the
tribe should be capable of taking -- you know,
23 following through.

MR. CLARK: Our internal deadline for
24 completing the regional policy is the first of the
year.

25 MS. GARZA: I think that is really
important that we sort of get on and finalize this

1 process. I've gotten calls as part of my job that,
2 you know, there's these foreign groups of people
3 that want to come over and start harvesting these
4 particular resources; and this was from the City;
5 and I said, "Well, you are aware that the Forest
6 Service has put everything on hold until they work
7 out how this will work." They said, "Oh, yeah,
8 they've given us a bunch of crap; so we're going to
9 go to universal beach lands and do it there." We
10 definitely need to finalize it and get it out there
11 because there are people who are going to start
12 doing it anyway. These are people who will get in
13 front of city Councils and say, "This is what we
14 have to do for economic development, and these are
15 the people that are holding us back."

MR. ADAMS: For good reasons.

MS. GARZA: They don't say "for good
reasons."

MR. ANDERSON: This would eliminate
the fly-by-nighters, and say I want to harvest so
many thousand ferns this year and all this kind of
stuff and let the local people have control and not
somebody sitting in Juneau or Washington, D.C.
telling us how to manage. Have the local tribe
handle it.

MR. CLARK: I would like to add that
our outreach information, trying to get information
back and advice on this has not been restricted to
tribes. That was the starting point; but there was
a whole public comment period by which anybody could
provide their input into the process and the
documents, et cetera. It's been the whole route
from tribes to the public, and now it's kind of back
to the tribes and the Forest Service to finalize.

MR. THOMAS: Would it be more
behooving for this body to submit our
perspectives -- perspectives with respect to this
outtake to Phyllis while it's in its current
process? Or would it be better for us to wait
until she comes up with a draft policy?

MR. CLARK: We already have a draft
policy, if you wait too long, it's going to be
final. It would behoove you, if you do have
comments for Phyllis, to get those in between now
and the end of November.

MS. GARZA: She has that on the web,
doesn't she?

MR. CLARK: I don't think so.

MR. ADAMS: Mr. Chairman.

MR. THOMAS: Bert?

1 MR. ADAMS: Let me share with you the
2 sensitiveness of these kinds of things that are
3 trying to be -- I say kind of taken away from us.
4 Let me give you an example. I have a little bit of
5 arthritis; and every now and then I'll go to a
6 friend of mine who is from the opposite tribe, who's
7 an eagle. I say, "Look, Shankan, I ran out of my
8 medicine. I need some medicine to take care of my
9 ailment."

10 He's not going to go out and get it
11 for a while. He'll fast for a while and he'll
12 prepare himself to go out and get this devil club.
13 He'll go out in the field, and he'll look for these
14 devil clubs. Devil clubs all over the place; he's
15 not going to just go pick any one. There's some
16 that's going to stand out to him. He has prepared
17 himself spiritually for this purpose. He'll take
18 whatever it is that he feels compelled to take, and
19 he'll go on to another area; and the same thing will
20 happen; something in that little group of devil club
21 is going to stand out, and he'll take that. And
22 then he'll go -- after he gets enough he'll go home,
23 and he'll prepare it. And then he'll -- when it's
24 done, prepared, he'll give it to me; and then I can
25 use it. That's our culture; and when we have people
coming in to try to commercialize these sacred
traditions of ours, it offends us very much. And I
think we need to be really careful, you know, how
this happens and how the process goes because it's
important, as Lonnie says, that tribal governments
or that tribal entities have the control or -- the
way in how this should be handled.

17 MR. THOMAS: We've got a window of 30
18 days, so we'd better take advantage of that. How
19 does the Council want to proceed on this.

 MR. CLARK: Mr. Chairman?

19 MR. THOMAS: Yeah.

20 MR. CLARK: That date, just kind of
21 off the top of my head, I haven't confirmed with
22 Phyllis about the drop dead date for comments;
23 perhaps I can check with her and get back with her.

24 MR. THOMAS: Don't wait for an
25 announcement, we need to get rolling on this.
Dolly?

23 MS. GARZA: And just to let everyone
24 know that the meeting is on the 1st and there is
25 good tribal representation there. Do you have a
clue who will be there just to give us an idea?

25 MR. CLARK: No, the last I heard is
about a dozen tribes will have representatives

1 there.

2 MR. ANDERSON: Mr. Chairman, is this
3 directed to Fred? Where would this be, and have all
4 of the tribes in Southeast been notified?

5 MR. CLARK: It will take part in
6 Juneau, it will happen in Juneau on November 1st.
7 It will be an all-day meeting, and all the tribes in
8 Southeast and the tribes in Southcentral have been
9 notified.

10 MR. ANDERSON: Okay. I just didn't
11 want Kake to be left out.

12 MR. CLARK: No, Kake is a very
13 important player.

14 MS. LeCORNUE: Mr. Chairman, are they
15 providing their own way there and stuff?

16 MR. CLARK: It's a mixed bag.

17 MS. LeCORNUE: Because I would like
18 the Haida tribe to be involved although they are a
19 recognized tribe, as I explained before, it's been
20 that the Forest Service must deal with these
21 tribes. I think, you know, we all need to be
22 involved.

23 MR. CLARK: Mr. Chairman, Vicki, what
24 I would ask that you do is work with the liaisons
25 who are here, Larry, to see what we can work out.

MR. ANDERSON: That is December the
1st?

MR. CLARK: November.

MS. GARZA: Monday.

MR. THOMAS: Monday.

MR. CLARK: Anymore questions?

MS. GARZA: Thank you, Phyllis.

MR. CLARK: You're welcome.

MR. THOMAS: Can you do Cal?

MR. CLARK: No, I think Cal can
handle himself.

MR. THOMAS: Cal Casipit, come on
down.

MR. CASIPIT: Mr. Chairman, I suggest
we take a short break while I get my high-tech stuff
set up here.

MR. THOMAS: Five minutes, ladies and
gentlemen.

(Break.)

MR. THOMAS: Okay, Cal, you're on.

MR. CASIPIT: Thanks, thanks for
having me here, Mr. Chairman, thanks to the Council
for having me here.

MR. THOMAS: Those of you that don't
have mikes, keep it down.

1 MR. CASIPIT: My name is Calvin
2 Casipit, C-a-s-i-p-i-t. I'm a Subsistence staff
3 biologist for the Forest Service. I was asked to
4 give a presentation on activities that we've
5 undertaken on the Tongass for salmon. This was a
question that was asked by the Council last year.
So I prepared a short presentation to just kind of
give you an overview of the kind of activities we've
undertaken.

MR. THOMAS: This is actually an
update more than a report?

MR. CASIPIT: Right, giving an
overview of what we have done.

MR. THOMAS: Okay.

MR. CASIPIT: You've all been
provided copies of a three-page report, and you have
copies of the slides I'm about to present. There's
also additional copies on the table at the
entrance.

Basically, over the past 15 years the
Forest Service has invested about \$8 million in
direct projects to enhance salmon habitat.

I've got a little picture of --
okay. We have basically seven different
techniques. We have in-stream habitat enhancement,
lake fertilization, fishways, spawning channels,
rearing ponds and off-channel rearing, incubation
boxes, and falls modification. I'll go through and
talk about each one, each specific one. For
in-stream habitat enhancement, these are small
habitats handled by placing large woody debris,
boulders, sometimes gabions in the past; they're
basically designed to improve rearing habitat for
coho salmon. Generally the structures are low in
cost, but you need to build many of them to make a
measurable improvement in the habitat.

Another promising technique we use is
lake fertilization, mostly used in sockeye lakes,
designed to reestablish the natural nutrient cycle
where escapements have been depressed for long
periods of time. Currently it's a relatively
expensive proposition limited to large lakes because
of the application of the liquid fertilizer you can
see in the picture there (indicating). There it's
being fertilized from a skiff. This has to be done
generally at least twice a week during a growing
season.

I have an example of a fertilization
project at Redoubt Lake. A pink line shows a
escapements. A blue line shows Subsistence harvests

1 at Redoubt Lake. For a years previous to 1984,
2 there was no fertilizer applied, and you can see
3 both a escapements and the Subsistence harvest was
4 fairly low. Fertilizer was applied between 1984 and
5 '87. Between '90 and '95 and currently we're
6 fertilizing again beginning in 1999. We've had
7 escapement monitor by weir in all years except
8 1998. 1998 was one year where a weir wasn't
9 staffed, but you can see a nice response both in
10 terms of escapement and harvest after a fertilizer
11 was applied.

12 Before I go on, I have to point out
13 that 1992 we kind of have that dip there; and that's
14 because of a lapse in fertilizer between a years
15 1987 and 1990. A brood were coming back in '92.

16 MS. GARZA: This is for Redoubt Lake
17 that's south of Sitka?

18 MR. CASIPIT: Right.

19 MS. GARZA: Is this done in
20 conjunction with ENSERA?

21 MR. CASIPIT: Originally ENSERA was
22 involved in it and Fish & Game, but now it's Forest
23 Service. All Forest Service funding in 1998 and
24 '99.

25 I have another slide showing a same
thing but a different scale and breaking out a
escapement and a harvests on different bars. But
it's basically a same data.

Fishways are another project --
another type of project we've been using.
Basically, we construct these structures, if you
will; they're made of concrete, aluminum; they pass
fish over impassable barriers opening up a upstream
habitat for spawning. We've had over 30 of these
projects completed on a Tongass. They're relatively
expensive, but they generally have very large
benefits; and currently we're doing about one of
these fishways per year on a Tongass.

A specific example, we have a Old
Franks Fish Pass near Ketchikan on a Craig Ranger
District. It was constructed in 1992. Partners
involved in this in terms of money and time were
contributed by Fish & Game, Ketchikan, Gateway
Borough, Sealaska, Kavilco, and a nature foundation
called Fish America Foundation. It has monitoring;
it's monitored by an impedance tunnel. Like a sonar
you would find on a Yukon, but a smaller scale.

Like I said, a fishway was built in
1992. We have two years of some fairly small
escapements because a fish hadn't been used to using

1 that habitat. There was some stocking that went on,
and now a escapements are up around 9,000 per year.

2 MS. GARZA: I have kind of a dumb
question, but is Old Franks a name of a place or a
3 name of a construction?

MR. CASIPIT: It's a name of a lake.
4 Old Frank's Lake. Actually, it's several lakes.

Another technique that we have used
5 on occasion are spawning channels. These are very
limited in a places where these things work.
6 They're designed to provide spawning habitat for
basically chum salmon, but we have used them for
7 coho salmon. The sites require good upwelling of
groundwater, relatively expensive to build; and,
8 like I said, it's a fairly new technique for a
Tongass. We have one spawning channel near Hyder
9 and Fish Creek that's been operating for quite a
while.

10 Another technique that has been used
in a past are rearing ponds or outchannel rearing
11 designed to improve varying habitat for coho
salmon. Generally moderate cost when built with
12 other projects, in this case road construction as
mitigation for borrow gravel or what have you for a
13 road. We'll have a rearing pond built with enough
depth to eliminate kill and provide rearing centers
14 for coho salmon.

Aerial techniques are incubation
15 boxes. One of these installations in Port Camden
that's operating in coordination -- in this case
16 it's used for chum salmon, similar to a hatcher
incubation system except for these are put out in a
17 stream or along a stream. A eggs are taken from
chum salmon, returning to a stream and installing a
18 incubation boxes; and a fry swim up into a stream
and have a natural existence from there. Generally
19 they're fairly expensive; they have fairly low
maintenance costs; but, again, we're fairly limited
20 in a places where we can use those.

A last technique I want to talk about
21 were falls modifications. These are similar to
fishways in that we provide access around barriers;
22 but instead of using structural techniques of
concrete and aluminum, we basically go in and remove
23 rocks or boulders that may prevent fish from
ascending a falls. In this case there was a big fan
24 rock in that falls that we removed so that coho can
pass a falls.

25 Generally, they're moderate in cost,
but generally have large benefits. And with that

1 I'll entertain any questions or any discussion.

2 MR. THOMAS: I have one question.
3 For one thing, I have no understanding of weirs, and
4 do they in any way inhibit escapement?

5 MR. CASIPIT: Well, by design weirs
6 do prevent upstream migration for a period of time
7 until a fish are counted and let through a weir
8 again; but basically it's a best way to get a real
9 good idea of escapement into a system. You can use
10 aerial surveys and foot surveys, but you generally
11 don't get as good -- count a statistically reliable
12 count as you would with a weir.

13 MR. THOMAS: You said sometimes weirs
14 are unstaffed. When they were unstaffed, what
15 happens? Is everything left open?

16 MR. CASIPIT: Yeah, all a pickets are
17 removed; and a weir is removed from a stream. A
18 example I had there with Redoubt in 1998 was that
19 there just wasn't enough money available to staff a
20 weir and run a weir; so, we removed a weir and
21 didn't get an escapement count for that year.

22 MR. THOMAS: Now, another question,
23 with weirs in place, as far as you know, have you
24 seen improvements, marked improvements of escapement
25 on some systems?

MR. CASIPIT: Well, weirs aren't
designed to improve or -- they're not really
designed to improve escapement or knock out
escapement. They're put in to figure out how many
are going through or getting into a system.

MR. THOMAS: Well, that's my point.
If we can count a run one at a time, that's not a
very good run. If you could look at them and
estimate within 10,000, it's a pretty good run.

MR. CASIPIT: Yeah, that's true.

MR. THOMAS: I'm not faulting you. I
know you're just a messenger, but I've had that
concern about weirs for a long time. I think -- if
that's sound management, I need to know how sound is
interpreted by that. But I appreciate your report.
I'm not being critical of you or your report. I
think you gave us a good report.

22 Dolly?

MS. GARZA: I have a couple of
23 questions. I guess I've seen nationally where
24 there's been a big effort to involve communities in
25 these types of enhancement programs. Has that been
worked on at all, and is there a way where Southeast
communities and/or tribes can be involved in
enhancing stock that they feel are important to

1 their Subsistence or local takes?

2 MR. CASIPIT: Very much so. One of a
3 projects I didn't mention here was Pavlof Lake near
4 Hoonah where a Hoonah Indians Association actually
5 contributed money to a Forest Service and Fish &
6 Game to do studies to see why we're getting low
returns and see if a fertilizer application is
doable there to improve a sockeye runs. There are
examples throughout Southeast where local
communities have gotten involved with us to do
that.

MS. GARZA: Have you contracted with
any tribes to do that?

MR. CASIPIT: In a past, no, we
haven't; but we would like to in a future. That's
one of a things I'd like to see more of, trying to
match communities with runs in their areas and
trying to do something for them if we're finding
that a Subsistence need isn't being met. There are
things we can do to try to improve things.

MS. GARZA: One of a women that
testified, Dorothy Owen, had several questions
regarding enhancement. I guess a final question I
have would be: Have you met with communities to
find if they have concerns that an enhanced stock
may, in fact, be inhibiting or negatively impacting
an important wild run?

MR. CASIPIT: There may be a
terminology problem here. As far as enhanced runs,
a Forest Service really doesn't get into hatchery
systems or use a bunch of hatchery techniques to
improve runs. We try to work with a local stock, a
indigenous stock in a stream that we're working in
and try to work with what we have at a site. For
instance, a Indian Project was completed this year.
Originally it started out as a king salmon project,
but based on local concern and local input it was
changed from a king salmon project to using a local
stock of Indian River which were coho.

MS. GARZA: So your focus has been on
habitat improvement?

MR. CASIPIT: Yes, working with a
habitat and a local stock.

MS. GARZA: A concerns with
enhancement would still go to a regional fishery
nonprofit organization such as ENSERA or SERA.

MR. CASIPIT: As far as the hatchery
organizations.

MR. ANDERSON: Mr. Chairman, I have a
couple of questions.

1 MR. THOMAS: First I'll ask Dolly,
2 that sounds like a good area we should include in
3 our annual report somehow, to be somehow involved in
4 how all that -- maybe not hands-on ourselves, but to
5 be an advocate for somebody to be. I don't know --
6 I don't know a words that I need to use with that,
7 but just give -- keep it in a back of your mind and
8 see if that's something to include in your annual
9 report.

10 MS. GARZA: Keep it in a back of my
11 mind, Fred.

12 MR. CLARK: Okay.

13 MR. ANDERSON: I'd like to ask a
14 couple of questions. You said you had boxes in Port
15 Camden. How successful are those?

16 MR. CASIPIT: Apparently they're
17 particularly successful in producing summer jobs.

18 MR. ANDERSON: Are they going to be
19 continued?

20 MR. CASIPIT: As far as I know right
21 now a investment on the Forest Service is fairly
22 low. It's basically an ENSERA project.

23 MR. ANDERSON: Irish Lakes is a coho
24 stream that a Forest Service spent quite a bit of
25 money building ladders and stuff; is that still
26 maintained or --

27 MR. CASIPIT: Yeah, that particular
28 fishway is maintained every year.

29 MR. ANDERSON: It's very successful
30 for Subsistence users.

31 MR. CASIPIT: In fact, we figure that
32 particular fishway, it was built over 15 years ago
33 at a cost of well over a half a million dollars, and
34 we figured it paid for itself in a first three
35 years.

36 MR. ANDERSON: I've never been
37 down -- involved there, but I understand that quite
38 a of few local Subsistence users get their coho from
39 that area there. So, it's -- and I didn't realize
40 that it was -- somebody told me that it's been taken
41 out or damaged or something like that.

42 MR. CASIPIT: It may have been
43 damaged; but I know there has been quite a bit of
44 maintenance done to it, quite a bit of
45 reconstruction done to it. But we generally don't
46 walk away from investments like that.

47 MR. ANDERSON: Okay.

48 MS. WILSON: Mr. Chairman?

49 MR. THOMAS: Marilyn?

50 MS. WILSON: How is it decided where

1 to put a enhancement projects?

MR. CASIPIT: Basically, it's --
2 almost anybody can come to a ranger or a forest
supervisor office and talk to a fish biologist on
3 staff and ask that a project be looked into and have
us develop feasibility studies. In fact, a lot of
4 times we've gone and looked at places and found
that, you know, for one reason or another that a
5 project can't be done or what have you; but we will
entertain any request that comes in from a public as
6 a general rule.

MS. WILSON: And how does a project
7 pay for itself? Who benefits --

MR. CASIPIT: In a past it's purely
8 been a commercial thing where we look at a
commercial value of a fish that would be produced
9 over a life of a project and determine, you know, if
it pays; but that perspective is changing. In a
10 Forest Service we recognize in some instances,
especially for sockeye systems that have the lowest
11 escapements that applying a pure benefit/cost ratio
might not be a best thing and that we may want to go
12 and enhance these even if we don't think a
commercial value's there; because obviously a
13 Subsistence value is there if it's close to a
community and a community is using a fish.

MR. THOMAS: Keep that in a back of
14 your mind, Dolly, a commercial consideration versus
15 a lack of Subsistence consideration, with those
enhancement projects.

MS. GARZA: You said that changed?

MR. CASIPIT: In a past it has been
17 that way, but we are changing our focus of where our
projects are put; and here recently we've paid close
18 attention to ensure that we're providing fish close
to local communities; and even if it doesn't pay
19 commercially, we'll still undertake a project.

MR. THOMAS: Not to worry.

MR. CASIPIT: Not to worry.

MS. GARZA: Are you guys ever going
21 to fix Staney Creek?

MR. CASIPIT: We're suffering quite a
22 bit for a sins of a past, if you will; and we have
undertaken a wide-scale watershed restoration
23 project. I really didn't talk about a question. I
thought a question was enhancement and not fixing a
24 sins of a past.

MR. THOMAS: Let's get into that area
25 now.

MR. CASIPIT: We can talk about that

1 right now, but we do have -- our current chief of a
2 Forest Service has put a very large emphasis on
3 restoring watersheds and restoring a functions and
4 values of those watersheds. We take that charge
5 very seriously. And, Mr. Chairman, one more --

6 MR. ANDERSON: Mr. Chairman, one more
7 statement. Are you aware that a Gait hatchery
8 incubates eggs for a Forest Service? We've been
9 doing that about three or four years.

10 MR. CASIPIT: Yes, I am aware of
11 that.

12 MR. ANDERSON: We would like to
13 increase that collaboration even more so.

14 MR. CASIPIT: And I think Mr. Keener
15 is very interested in that for their projects they
16 have there.

17 MR. ANDERSON: Thank you.

18 MR. THOMAS: Lonnie, what's being
19 done to guarantee a continuance of a festival?

20 MR. ANDERSON: Well, we have -- we
21 we're going to make a comeback.

22 MR. THOMAS: Still bring chums.

23 MR. ANDERSON: We bring your chums.

24 MR. THOMAS: Was that it on a
25 presentation?

26 MR. CASIPIT: If there's no more
27 questions, I'm done.

28 MS. WILSON: I have a question.

29 MR. THOMAS: Marilyn, then Dolly.

30 MS. WILSON: I just found out that
31 you did an enhancement or you replenished fish with
32 hatchery fish, and doesn't that endanger a wild
33 stock?

34 MR. CASIPIT: Actually for a project
35 that Lonnie was talking about we took a eggs from a
36 fish at a stream, brought them to the hatchery, and
37 then returned a fishes fry to a stream. It's not a
38 same as using a hatchery stock to plant a stream.
39 We were using a hatchery as a safe place to raise a
40 eggs.

41 MR. THOMAS: Dolly?

42 MS. GARZA: I guess my comment to you
43 is it would be great if we could have some type of a
44 larger outreach to a communities to let them know
45 that they can be involved; because in looking at
46 past enhancement projects, you're right; they have
47 always been commercially based; and when that gets
48 down to like one or two rivers, then commercial and
49 Subsistence end up fighting; but if we could get
50 some of a smaller stocks fixed up again, I think

1 that would reduce some of that conflict; and I think
2 that people here could probably give you ten years'
3 worth of work by saying which rivers need to be
4 fixed and how communities would like to be
5 involved. So I think this is something that we
6 could really jump on.

7 MR. THOMAS: Put that in a back of
8 your mind too.

9 MR. CASIPIT: We're -- Fred and I are
10 going to Craig next week, and we -- I'll be sure to
11 mention that; and any other community meetings or
12 those type of opportunities that also I go to, I
13 will make sure that that comes out. As far as the
14 technology, we're hoping to develop better
15 technology to work smaller systems. Right now
16 because of a -- for instance, lake fertilization, we
17 can only use liquid fertilizer. That's a only place
18 where you can get commercially pure fertilizer
19 that -- that it doesn't have a metals to go into a
20 fish. We're hoping to develop some solid
21 fertilizers and other techniques to bring our unit
22 costs down so we can work on a smaller lakes, not
23 only work on a Redoubts but a Pavlofs and a smaller
24 lakes.

25 MS. LeCORNUE: Mr. Chairman, I know
I've heard that a hatchery might appear like a good
sound practice; but what I've heard is that those
fish are the ones that are killing sockeye. So,
whatever comes out of that hatchery, it isn't a
people; it is a fish that have competed with a
natural sockeye, and so that has been detrimental to
Subsistence; and I don't think that's very well
known, and maybe that's something that could be
researched to find out a real facts of what those
hatcheries actually do to a sockeye streams and
sockeye populations.

MR. CASIPIT: Well, we don't -- like
I said, a Forest Service, we're not really into
hatcheries. We may contract with certain hatcheries
to take eggs for us and incubate them and bring them
back.

MS. LeCORNUE: That still has to do
with a use of that stream, right; and so should that
sometime be a consideration?

MR. THOMAS: What we can do, Vicki,
as a Council is probably approach a appropriate
biologists that have been working those areas and
get a information we're looking for on that, because
I don't think Cal can deal with spawn lake. We can
do that as a Council.

1 MS. LeCORNU: It would be useful.

2 MR. CASIPIT: Also, we have someone
3 in a audience who does work pretty closely with a
4 Kodiak hatchery; and I'm sure he could maybe take
5 your concerns to a hatchery board.

6 MR. THOMAS: I think -- come up,
7 Dave; get out of a way, Cal.

8 MR. JOHNSON: Mr. Chairman, Dave
9 Johnson. I'm going to put on my Prince of Wales
10 Hatchery Association hat and take off my Forest
11 Service hat. Last spring, February, there was a
12 sockeye summit held in Klawock; and I think most of
13 a major stakeholders that use fish from a Klawock
14 system were at that meeting, and what we found is
15 that there are a number of factors contributing to a
16 decline in a sockeye. If you'll recall about four
17 years ago approximately, a State through a series of
18 budget cuts in a State legislature, eliminated a
19 Klawock hatchery along with some other hatcheries.
20 As a result, a nonprofit corporation was formed; and
21 essentially for those four years, we've had to fix
22 and repair and deal with issues that have been
23 contributing to a decline in that sockeye run
24 starting back as early as '85. In response to a
25 concern of a question regarding a effect of a
hatchery on a sockeye, I would make a case that a
few sockeye that were still able to get back to a
system have been largely a result of a hatchery
still being there. If a hatchery wasn't there, if
there wasn't some efforts being made from an
enhancement standpoint, there probably wouldn't be
any sockeye at all. A thing we did find out is that
there is a habitat-related issue, harvest issue. A
number of sockeyes had increased. A amount of
overharvest -- and when I say "overharvest," I'm
talking about legal overharvest in terms of a
escapement -- so there's a whole number of issues
contributing to a problems that we have in a Klawock
River; and I'll be happy to get you a copy of that
report. A State was there. Southeast Seiner
Association was there. There were a number of other
tribes that were represented as well, and what we
came away with is it's taken a long time for a
Klawock system to get along today. In terms of a
problems it has, it's going to take us a long time
to fix that. A idea of a sockeye summit is to say
how will we fix a system that's got a problem. One
of a things we're looking at, Harold Martin's gone
now but a Tlingit/Haida provided a grant for
Klawock. One of a things we're looking at there is

1 what effects has road building and timber harvest
2 had on a rearing and spawning areas in that system,
3 to look at areas that we can go after funding if we
4 want to fix and repair impacts that are impacted,
5 looking for ways to find additional grants that a
6 local IRA can go after what we may not be able to as
7 an association or that a Fed's may not be able to go
8 after. So we're trying to look at all issues on how
9 to begin to bring healing to that system. And
10 you'll be hearing more about a next phase of that,
11 but this is a second year. By a way, a
12 Tlingit/Haida Association gave a Forest Service
13 \$20,000 to start a wetlands assessment part of that
14 project; and we're continuing that a second year
15 that's just starting here October 1.

MR. THOMAS: I have a question. I
16 didn't realize -- was a hatchery actually working on
17 grazing -- any kind of steelhead? Steelhead is a
18 predator of salmon eggs, I understand.

MR. JOHNSON: That's probably the
19 case, Mr. Chairman. A steelhead that are in a
20 system, though, are also on a decline; so, in terms
21 of a fish in a system, a same thing has been noted
22 from a sport fish division, that folks aren't
23 catching them either so that steelhead trout don't
24 appear to be benefiting tremendously from a
25 enhancement of a --

MR. THOMAS: Well, what would happen
26 if a emphasis was based on a survival of a sockeye;
27 and whatever happened to a steelhead happens to a
28 steelhead, and see if a sockeye population doesn't
29 benefit in a absence of a steelhead? Evidently
30 they're not compatible in a same stream.

MR. JOHNSON: Well, a system, in
31 terms of a habitat there, there are portions of a
32 habitat that are more suitable for a steelhead or
33 for a rainbow trout than for a sockeye; and so
34 you've got different niches within a system that
35 don't appear to be competing. Again, another one of
36 a things that we're looking at this year is doing
37 some additional numerological work and hydrocoustic
38 studies on a sockeye and also looking at potential
39 opportunities for fertilization. Some -- so, some
40 of these other things, we don't have a information
41 to know what a total problem is.

MR. THOMAS: What is a mind-set with
42 regard to steelhead?

MR. JOHNSON: Maybe you can further
43 clarify a question.

MR. THOMAS: What made steelhead such

1 an important component of a hatchery?

2 MR. JOHNSON: I'd have to look at a
3 history, Mr. Chairman; but, I believe, if you look
4 at a regs for a '98/'99 year and even prior to
5 that, there are certain portions of Prince of Wales
6 that a steelhead is identified as a Subsistence
7 species. I don't know if we're talking about a
8 C & T determination that's been made for steelhead,
9 but I know that if you look at -- if I could have a
10 copy of a reg booklet.

11 MR. THOMAS: I know historically
12 steelhead and sockeye were very prevalent in a
13 Klawock River. All of a sudden they both got in
14 trouble at a same time. I'm wondering why in
15 Klawock. Probably those darn seiners.

16 MR. JOHNSON: This speaks to Dolly
17 Varden, but it's just an example. District 3,
18 Section 3B in waters east of a line of Point
19 Ildefonso to Tranquil Point, salmon, Dolly Varden,
20 and steelhead trout -- residents of the city of
21 Klawock and on Prince of Wales Island within the
22 boundaries of the Klawock Corporation land holdings
23 as they existed in January, 1989, and those
24 residents of a city of Craig and on Prince of Wales
25 Island within the boundaries of the corporation land
holdings as they existed in January, 1989.

1 A way I interpret that,
2 Mr. Chairman, is that at least for portions of
3 Prince of Wales Island, steelhead has been
4 identified as an important Subsistence species as
5 well. And, in terms of a charter for a Prince of
6 Wales Hatchery Association, a three important
7 species that were identified for using a hatchery
8 facilities were sockeye, coho, and steelhead. In
9 terms of a total numbers of eggs taken or a total
10 number of steelhead reared compared to sockeye or
11 coho, it's a very small part of a actual hatchery
12 program.

13 MR. THOMAS: Okay.

14 Anymore questions?

15 MR. ANDERSON: Mr. Chairman, I'd like
16 to make a statement. We took a sample of Dolly
17 Vardens in gestation on fry, and this one Dolly
18 Varden had 300 and some -- 65 fry, one Dolly Varden;
19 and if you have Dolly Vardens in your area you can
20 pretty well wipe out any other salmon stream.

21 MR. JOHNSON: And, again, we haven't
22 done enough population work, late population work,
23 to know just exactly how big of an issue Dolly
24 Varden are in that system.

1 MR. ANDERSON: They're predators.

MR. JOHNSON: Right.

2 MR. ANDERSON: We hold the fishing
3 derby in our stream there, salmon -- not salmon, but
4 trout fishing to sort of keep a Dollys out, away
5 from a salmon.

6 MR. THOMAS: No offense to our
7 Dolly.

8 MR. ANDERSON: We would welcome our
9 Dolly.

10 MR. JOHNSON: Thank you,
11 Mr. Chairman.

12 MR. THOMAS: Thank you. Where is our
13 moderator? Donna, where are you?

14 MR. ANDERSON: Mike, do you have
15 anything to say?

16 MR. THOMAS: Okay. Robert.

17 MR. SCHROEDER: Mr. Chairman, Bob
18 Schroeder, S-c-h-r-o-e-d-e-r, from a Juneau Forestry
19 & Sciences Lab. That's even better, I can read. I
20 wanted to start out just thanking a Council for
21 their support yet one more time. I note that a
22 continuing Subsistence research that's going on in
23 Southeast Alaska is taking place because of your
24 strong support over a years. You directed that it
25 should be done; and even though a letter is -- some
26 letters sometimes disappear, it's hard to see a
27 results of resolutions. Things that you've done in
28 a Subsistence area really have had an effect. It's
29 made an impression. This last year in my position I
30 was arguing about continuing a Subsistence issue. A
31 people said, "yes." That's identified as being
32 important.

33 A other area, we haven't talked about
34 a Tongass management plan today or yesterday; and
35 hopefully we won't, but I will just note that a
36 Council over a years spent a good deal of time on
37 that plan and put in much work; and I think you can
38 take some of a credit and a blame, as needs be, for
39 a recent record decision; because when a new record
40 decision came out, it set some timber policies for
41 what may cover a Tongass for a next ten years. That
42 decision was influenced by a strong voice a Council
43 had over a years. So I think that you can pat
44 yourself on a back for that as well.

45 Just also what I would acknowledge to
46 a Council, I'd say that a current work that I'm
47 doing is currently an outgrowth of what I do with
48 you over a years; and that's what I'm continuing to
49 do with this effort.

1 Right now, what I would like to do is
2 just very briefly mention some continuing studies
3 that I have going on at a forestry sciences lab and
4 then make some suggestions for various -- see if the
5 Council and maybe tribes may wish to be involved in
6 a future.

7 Right now I spent about a third of my
8 time on Subsistence, a third of my time on tourism,
9 on forest management, a third of my time on forest
10 management, a third of my time on TEK, and a third
11 of my time doing community studies; so I've got too
12 many thirds right at a moment. But those are the
13 main areas, so I am following Subsistence; and last
14 year a Forest Service was able to channel money
15 through to provide further funding to a division of
16 Subsistence to continue with harvest updates. So,
17 this is basically a updating of trust data which was
18 done years ago. I think Mike Turek will describe
19 works that have gone on in that area. There's at
20 least one more year of that work to take place which
21 is in line to probably take place in February --
22 January, February, March of this year. We still
23 need to line up funding through a National Forest
24 System for taking care of that work, but hopefully
25 that won't be too much of a problem.

I'm spending a fair amount of my time
looking at tourism; and I'm convinced that, as
probably all of you are, that tourism is on a rise
in our region. We're in a period of extremely rapid
growth. Pretty much in listening to what people had
to say over a last couple of days, a only time
tourism really came out much was in a realm of
charter boat fishing, which is one piece of tourism;
but I think a Council will be dealing with tourism
issues some way or another as they affect
Subsistence in a coming years. If not because
there's direct competition for fish, simply a way
things are going, there are going to be a lot more
people; and I see that in itself as an impact. It
doesn't -- it doesn't have to do with a allocation
of Fish and Game. It's almost a allocation of space
and quiet and solitude.

I have research going on in forest
management, finding out a way people in a Southeast
would like a forest to be managed in a future. So,
there's research in that area. With Fred's
assistance, we've got a small traditional and
ecological knowledge project underway this year
which I had a university researcher meet with a
number of tribes in Hoonah, Sitka, Juneau, Douglas,

1 and Angoon; and he did initial interviews with
2 elders on traditional ecological knowledge topics
3 related to how a forest is used and a Tlingit
4 knowledge of a forest, and there will be a report
5 coming out on that study.

6 The third is community studies. This
7 year we're moving ahead with what would be a large
8 scale telephone survey of a Southeast Alaska
9 residents. It will cover a lot of attitude and
10 value questions around tourism, around how people in
11 this area want the forests to be managed; and
12 there's also a section on Subsistence. So, this is
13 a chance for us to ask questions that haven't been
14 asked of a general public about what their views are
15 on Subsistence. So, I'm pleased to say that in
16 figuring out -- in working on this survey, I have --
17 I've had a completely free hand with very little
18 political -- actually, no political influence
19 brought to bear on me directly -- bear on me
20 directing me to answer questions and directing me to
21 other questions. I give my first nine months'
22 involvement in a Forest Service extremely high marks
23 on that score. I think a people that I've been
24 dealing with, they're sincerely interested in a
25 facts of what's out there, even if a facts don't
conform to what their old world needs might be.

1 That's a bit of what I'm up to.
2 We're entering into a new era of Subsistence
3 management. At this point I'm not too sure what
4 that will mean for future Subsistence research,
5 which is what I do. I really think that a Council's
6 in a position where it's an extremely good time for
7 a Council to make things happen in this area. There
8 are times when systems are all fixed and solid and
9 where change is very difficult to enact or to
10 enable, and then there are times like this where we
11 basically have a new ballgame. There are new
12 possible ways of doing things, and I really suggest
13 that a Council doesn't wait until options and
14 opportunities are presented to you, but that you
15 make your own. I don't feel from my interactions
16 with Federal staff that there is any sort of secret
17 game plan on how very basic things are going to get
18 done, how monitoring of streams may be done, or how
19 harvest monitoring for in-season take may be done,
20 or for more in-depth studies of Subsistence and how
21 it's important to people any place.

22 What I'm interested in -- a future
23 research that may go through a forestry sciences
24 lab, I believe that we need to continue maintaining

1 a databases we've started which comes up with basic
2 facts about Subsistence that is, how much of
3 whatever it is people harvest, where they take it,
4 who uses it. This is real important data.

3 And I think that a lab and a Council
4 should encourage a work of a division of Subsistence
5 on those studies.

5 With quite a few other things, it's
6 my intention to have any work that I'm involved with
7 be done through cooperative agreements with tribes
8 and communities in Southeast Alaska; because that's
9 a way that we'll get a best research done, and use a
10 funding that may be available a most effective way
11 to protect Subsistence uses.

8 There are a couple of things that are
9 just suggestions at this point. So they don't even
10 exist on paper. Over a last couple of weeks I've
11 become aware of a efforts of a Bethel Tribal Council
12 to do in-stream monitoring of Subsistence harvests.
13 And a Bethel Tribal Council simply took this on,
14 figured out a way to get it to a place, and appears
15 to have been doing a real credible job of providing
16 real important information in a timely fashion. I
17 think that their work and possibly a work of other
18 entities around a state of tracking what's happening
19 during a fishing season may provide some models on
20 how this effort could go in Southeast Alaska. I
21 think that tracking a Subsistence harvests in -- of
22 salmon in a communities of Southeast Alaska will be
23 a high priority to make sure both that people are
24 able to get a fish that they need and, also, that we
25 don't inadvertently overfish some streams simply
because we weren't paying attention.

18 I think a best way of doing these
19 things is locally. I think that people who depend
20 on a resource have their heart in it in a way -- and
21 are geographically closer to a resource in a way
22 that it's difficult for State or Federal agencies to
23 match their interest.

21 That's one area. I'll also mention a
22 project that I'm just beginning to think about,
23 which will be to work with a small set of tribes and
24 communities over time; and what I'd like to -- what
25 I'm beginning to plan are some studies that would
work in conjunction with a tribe to track basic
community information, not only about Subsistence,
but about many things that occur in communities, a
relationship to a use of forest resources, of
course, over time. I see that study as well as
being something that wasn't an out-side-in study,

1 but it was done in cooperation with a concerned
community.

2 In a area of Subsistence research, as
3 you know, I worked with a division of Subsistence
4 for many years; and I feel real proud to have been a
5 part of developing a kinds of data that had become
6 important in a debates of Richie Brown. I think
7 that was a real solid effort and that a division has
8 worked as closely as it possibly could with
9 communities.

10 There were constraints, however, in
11 dealing with a registry system that a research was
12 supposed to address. Those constraints, basically,
13 led to study approaches that veered away from many
14 of a things that are very important to people, to
15 Subsistence users. There are things that I've heard
16 members of a public providing testimony on, and
17 they're things that board members and Council
18 members speak of Subsistence as being -- yes, it's a
19 matter of food on a table; but it's a matter of
20 identity, and it's a matter of heart; it's a matter
21 of world perspective and world view.

22 I don't believe that anthropology or
23 social science has some secret way of uncovering
24 what these things are; but I do believe that a
25 research approach can provide good documentation of
these things in a same way that good research has
provided a documentation that we all use on a
numbers, on how many deer are taken, on what people
get fish.

16 I have some hopes that we'll be able
17 to take some of a opportunity that is provided by
18 this big change to start putting some attention on
19 those species of Subsistence. And I was reading an
20 article yesterday at a lull in a meeting, and it
21 sort of echoed some things that Bert Adams was
22 saying. The article was about whether people had an
23 egocentric view of a world or a view that they were
24 part of nature; and, I think, an understanding of
25 Subsistence may contribute to something in a
realignment of a way a larger society thinks about
this. An egocentric view of a world is basically
that a world is just for people to use, that we have
human needs and are the center of this creation; and
a rest of a world should suffer a effects of our
presence. And what I hear from spending not enough
time in Native communities is much more that we're a
part of a natural system and that we have
obligations as part of that system and that we need
to fit in it and adapt to a natural world.

1 So, I think this research of the more
2 cultural aspect of Subsistence is not only
3 interesting in its own right as a way of providing
4 more protection through Subsistence and more
5 understanding; but I think it has something to give
6 to a larger understanding of what we do with a
7 Tongass and these wonderful waters.

8 And lastly -- the last thing I was
9 going to mention, we talked quite a bit about
10 regulations; and I know that there will be a raft of
11 fisheries regulation proposals that will come up
12 later in the year. I will point out that I also
13 heard quite a number of people talking about how
14 many salmon they were allowed to catch and what
15 permit limits were, and I expect that's going to be
16 part of the issue that the Council deals with down
17 the line.

18 One thing real peculiar about
19 Southeast is that there are not regulations for how
20 many fish you get. And the number of fish you get
21 is set as a permit requirement; so that when you go
22 through the book here, it doesn't say that you only
23 get ten fish from Redoubt or 25 fish -- I'm making
24 these up, I don't know the limits -- because those
25 are permit requirements, not regulations. There's a
26 good chance that down the line we will move into --
27 want to move into things that are regulations that
28 provide more value to some of those things. That
29 was something I wanted to mention. I don't want to
30 take too much time. I know there are quite a few
31 other people that have got things to say. But I'll
32 take any questions on anything the Council has.

33 MR. ANDERSON: Robert, you were
34 saying the number of fish taken. Say, for instance,
35 you take our Subsistence users has about 30 miles to
36 go to get ten fish per individual; and if you happen
37 to get 11 or something, you get a ticket. What and
38 how can we rectify that situation where that they
39 can make one trip over -- gas is like \$1.79 a
40 gallon, there is -- it is extremely costly. How can
41 we get that 10 up to the number of fish that, say,
42 for instance, I would need.

43 MR. SCHROEDER: It gets a little
44 complicated, and I think the system as it has
45 existed has sort of worked; and I'm telling you how
46 it sort of worked. My management biologists call to
47 Fish & Game. When I'd talk to them about this, they
48 say, "Wait a minute, if we put that limit up to 50
49 fish over in the stream that Kake uses, then we're
50 going to have to put that out; and we're going to

1 have a bunch of boats that pull into that stream and
2 take too many fish out because it won't only be your
3 Kake boats, but it would be anyone in the Southeast
4 who might potentially go there."

5 And so the management biologists were
6 real concerned about creating magnet fisheries
7 wherein a lot of people would go there and then back
8 over a little bit on what Cal was talking about,
9 "Gee, we don't have the greatest escapement data on
10 these streams"; and then what I was talking about;
11 at the present time Fish & Game and no one else is
12 really tracking what's going on during the season.
13 So that kind of felt a little bit dangerous such
14 that if you put -- you simply said, "Okay. Let's
15 put this up to -- how many fish, 50 fish, put it up
16 there," you run the risk of having serious
17 overfishing. So, I think that to fix it is going to
18 take some good thought to figure out a good way of
19 doing it; and then it's going to take better data
20 on -- better just hard biological fish data on
21 what's going on in that stream people are going to,
22 and then somebody -- and I would hope that it would
23 be a local community group -- needs to track what's
24 going on so that if it looks like you can get a
25 thousand fish out of there, that you know when
you're getting close to that thousand and that you
don't do something that is the worst -- the worst
result is that you overfish a stream; and then
people are really out of luck.

MR. KOOKESH: Mr. Chairman, one of
the things I've always known about Subsistence is
that we all never seem to lay our cards on the table
and speak the real truth that the limit of ten
doesn't work. Because I know that you may not
believe this, but people do go up and get their 50;
and then the idea is assuming that everybody is
going up there for 25. I don't know how realistic
you want to be, but it's not really true. The only
thing I believe is nobody goes and lays all their
cards on the table and says, "We're actually going
up there and coming out with 300." I don't know.
It doesn't sink in, or nobody wants to accept that;
but I'll give you a good example. Just to talk
about escapement and the destruction of the habitat
or the stream there or the stock, if you go up to,
say, like historically, this year, we had a banner
year up at Canal Key. I think the fishery went
longer than even we expected it to go, and the stock
just kept coming back and coming back; and I had
been concerned, like my friend there, Mr. Anderson,

1 about going out 30 miles just to get ten fish. We
2 talked about -- like in Vivian's case they talk
3 about economy of scale where you put all your --
4 bring all your -- all your options back in Juneau.
5 It's the same money. It's only fair that we go out
6 and get what we need once. The idea of I'm saying,
7 well, 25, it's always going to be 25. We need to
8 preserve the stock. They don't really monitor up at
9 Canal Key. I'm using that example because it's in
10 my own backyard. 25 is unrealistic, to go get 25.
11 They don't make seines, you have get a permit for 25
12 each. You make one set, and fish don't swim in
13 schools of 25. You make a set, and you have 200
14 fish. What do you do?

15 MR. SCHROEDER: Well, what I'm
16 thinking, when I talk to Fish & Game biologists,
17 they give me the realities of the best someone might
18 be able to do on a Subsistence fishery is to fly
19 over it twice in a whole season. Like, on Coney
20 Island or Basket Bay, and so that capability just
21 wasn't there to either find out how many fish are
22 present or to be able to contract the number of fish
23 people are catching. So, the permit system would
24 keep those limits low; and then -- well, I was just
25 talking to some of the -- some of the Angoon guys
26 just while I've been here; and, you know, just
27 talking about how someone goes over to Basket Bay;
28 and they come back, and they got to keep looking
29 over their shoulder to see if someone is going to
30 inspect and see that they have too many fish; and
31 that -- that's not a great situation. It's not a
32 great situation psychologically that you're an
33 outlaw for catching some fish, and it really isn't
34 great for trying to manage a fishery; because you
35 don't know what's going on there.

36 MR. KOOKESH: And it's not fair for
37 us to have to look over our back, and it's not fair
38 to us when we don't know what's going up the stream
39 and what's escapement and how much destruction we're
40 doing. There's some open questions, you know, that
41 are not being answered.

42 MR. SCHROEDER: That's what I'm
43 saying about how this new management system has some
44 openings; and I think it's time to sort of step up
45 to the plate and say, "Well, this is -- this is the
46 way we should do it"; or "This is how we're going to
47 attack the problem."

48 MR. KOOKESH: I noticed when you
49 talked about in-house management of streams by
50 Bethel, I'd like to see us start at that point too.

1 MR. SCHROEDER: Bethel, what they're
doing is managing harvests, not escapements.

2 MR. KOOKESH: That should be in here
also.

3 MR. SCHROEDER: Kuskokwim River, it's
4 a kind of different sort of fishery, but they've
devised, you know, a good research protocol; and
5 they're working with people that will track how many
fish were taken during a season; and if anyone's
6 concerned about the fish on the Kuskokwim River,
it's the people that live there. They don't want to
7 hurt that run. So, if the harvest looked like it
was out of line with what they would support, they'd
8 have to be making that tough decision; but that's
probably what Angoon would do with Kanalka. I can't
9 imagine that someone would say, "I'm going to
continue fishing there" even though it's hurting the
run.

10 MR. THOMAS: Mary?

MS. RUDOLPH: I was just wondering --
11 I think it was about over a year ago when a Native
was cited for wanton waste in Juneau for throwing
12 the head and tail and some backbone away, and he was
cited in Juneau for wanton waste. Then at the same
13 time the canneries were dumping out all the fish
that were on the scale. Last summer a local Native
14 from Sitka was released of his position as a canner
because he wanted to check around with the villages
15 to see if any of the villages wanted all that fish
they had instead of dumping it. He was let go by
16 the company because he was trying to get them to
check into that. They had someone else dump it.
17 So, where does -- how do we get wanton waste for
fishing and all this other fish is being dumped?
18 Why does the State allow it? Bobby mentioned
Bethel, and we do have examples closer to home.
19 Karl Martin isn't here anymore; Dolly is on the
marine mammal situation partnerships there with
20 scientists and Native users to get the best
information you can for management purposes on
21 pretty tricky Subsistence harvests. So, I think
we've got good models here; and maybe it's time to
22 kind of break through some things that just haven't
worked; and rather than look back on those to say,
23 "Okay. Well, what are we going to do now to meet
the needs of what's coming up?"

24 Also, very similar to marine mammal
work is that the -- my experience with the Federal
25 Government is that it requires a different level of
accuracy or strength of information for its

1 decisions; and so the Marine Mammal Commissions
2 quite often work with university scientists, and
3 then things get reviewed way too much in Seattle or
4 Washington or wherever; and that takes a little
5 longer, but then it comes up with something that is
6 a real firm result. So, we may consider doing some
7 of that extra work on the science side on either the
8 Subsistence harvest questions or what's going on in
9 the streams.

10 MR. THOMAS: We're just now moving
11 into fish. We haven't had a chance to take a look
12 at those. We do allow for those areas that are
13 giving us problems and make those changes.

14 MR. SCHROEDER: One more thing on
15 that. The reason why I was kind of beating on this
16 was that even though we're just -- excuse me, even
17 though we're just moving into fish, January will be
18 too late to get certain things to occur next
19 summer. So kind of just -- this is my Federal
20 bureaucrat side saying you have to start so early.
21 You have to start before you know what you want to
22 do to do it.

23 MS. WILSON: I would like to see our
24 Council maybe approach the Secretary of Interior or
25 whoever divides the money up to implement
Subsistence on the Federal lands. So, would our
Council be able to do this because the money is
supposed to be given, maybe some to the state, some
to tribes? Could we push for that right now at this
meeting since we should get started early?

MR. THOMAS: I don't know.

MS. WILSON: For the tribes to get
some of that money to do some of that monitoring
that we need to do as communities and villages.

MR. THOMAS: Fred?

MR. CLARK: You'll find it in your
briefing thing here is that up to -- I think around
60 percent of the money that is coming for
Subsistence management for the Federal Subsistence
Program for Fisheries is for contracting, and tribal
entities are one of the main entities that have been
identified to do the -- to be the contractors. So,
that's already on -- well on the way. But, as Bob
indicated, there are a lot of details to be worked
out.

MR. THOMAS: Anybody else?
Dolly?

MS. GARZA: You had mentioned earlier
in your report that you wanted to start working more
specifically with just a couple of small rural

1 communities?

2 MR. SCHROEDER: Yes, Dolly, I have --
3 sort of various research hats on in this new job.
4 That wasn't specifically related to the Subsistence
5 issue; but, yes, that's some -- some community
6 studies will continue over time.

7 MS. GARZA: How are you going to
8 decide which communities to work with? Will they
9 all be Southeast; and should we talk to you if we,
10 as community members, are interested?

11 MR. SCHROEDER: It would be
12 Southeast, and I don't know how. I'm just in the
13 beginning stages of planning this project. And,
14 yes, please talk to me.

15 MR. THOMAS: Okay. Thank you.

16 MR. SCHROEDER: Thank you very much.

17 MR. THOMAS: We're running out of
18 time. We're going to stop on time. No more
19 questions of our presenters; just trust them.

20 Clarence is up -- Jim's going to be
21 for the Park Service.

22 MR. THOMAS: Spell your name for the
23 lady.

24 MR. CAPRA: My name is Jim Capra,
25 C-a-p-r-a. I'm out of Yakutat, and I will be short
and introduce other people.

As far as news from Glacier Bay
and/or Yakutat that might be of interest, Glacier
Bay has -- in the Federal Register, the final rule
for Glacier Bay came out on November 20th; I know it
affects some of the people on the Council and quite
a few communities around the park. I do have a copy
of the final rule that I downloaded off the
Internet. I don't have copies for everybody, but
hopefully I can get it by from Fred or somebody
here.

The only other bit of news is from
Yakutat that's kind of interesting involves John
Vale. Wrangell/St. Elias came up with some money to
maintain cabins in the park or structures. We
worked with John Vale to identify some people in
Yakutat that have access along the Malaspina
Forest. Hopefully we found one building the park
has committed to maintain as long as they have money
for Subsistence users, for use; and we're trying to
identify a couple of other sites along the Malaspina
Forest where we can do the same thing. It's kind of
hazardous, and it may be a low state to get over
there. It's been one limiting fact to people using
that. And since there's no questions, I'll

1 introduce Wayne Howell, who is our cultural resource
specialist for Glacier Bay and will be doing
2 hopefully any other information you want on Glacier
Bay and Hoonah and any relations between them. I
3 know it's a point of interest to the Council in
years past.

4 MR. THOMAS: Dolly?

MS. GARZA: Wrangell/St. Elias
5 National Park, are there any sea otters there?

A SPEAKER: There are along the
6 coastline.

MS. GARZA: In the --

7 A SPEAKER: Boundaries for the
Wrangell/St. Elias, along the coastline there are
8 sea otters.

MS. GARZA: Okay. Never mind.

9 MR. THOMAS: Bert?

MR. ADAMS: You and I were talking a
10 little bit about the cabins that were on the west
side of the bay there, which is in the National Park
11 Service jurisdiction; and there was a cabin or two
that we talked about where some Subsistence users
12 are able to use it for hunting purposes and so
forth, but it's still under the jurisdiction and
13 care of the National Park Services; and you don't
charge any fees on it, correct?

A SPEAKER: We don't charge fees;
14 it's not a priority use. Anybody can use it.
15 Nobody can reserve it specially for them. If we did
charge fees, people would -- the person who's paying
16 a fee has a priority over anybody else. This way we
maintain the cabin, and as many people as want to
17 can use it; and it's open to everybody.

MR. ADAMS: Another question:
18 Another issue we talked about was the maintenance of
the cabins. There is no funds available in the
19 National Parks Service to maintain if the work flows
off.

A SPEAKER: There is no fixed funds
20 to maintain the cabin; cabin funds come and go, and
this year was a good opportunity to do it. Next
21 year, this coming year is still a good opportunity
to do it; so we can't commit to keeping them
22 maintained, but at least it was a good use of the
funds; and once it's started it's easier to
23 continue.

MR. ADAMS: I just ask these
24 questions, Jim, just for a matter of information for
the Council. Thank you.
25

MR. THOMAS: Okay. Wayne?

1 MR. HOWELL: My name is Wayne Howell,
2 H-o-w-e-l-l. I work with Glacier National Park;
3 and, Mr. Chairman, and for the Council, I'd like to
4 just present to you some information that they -- of
5 what is going on in recent years in Glacier Bay
6 between the National Park Services and the people of
7 Hoonah regarding Subsistence and access to the
8 park.

9 Before I get into that, though, I'd
10 like to lay just a brief history of the park so that
11 you can understand what kind of context we're
12 operating in there. That history, interestingly,
13 has its beginnings back in 1879 in that canoe back
14 cowering back behind Kadashan was a fellow named
15 John Muir; and he was a very important founder of
16 the modern environmental movement, and he was very
17 influential in the early establishment of the
18 national parks. Yosemite National Park was created
19 largely due to his efforts. Glacier Bay was
20 designated as a national monument in 1925; but it
21 was -- although Muir was gone by then, it was
22 largely as a result of his enthusiasm for Glacier
23 Bay and his introducing people to Glacier Bay that
24 brought about the movement to create the monument.

25 It was expanded in 1939; and when
ANILCA passed in 1980, Glacier Bay National Monument
was renamed Glacier Bay Monument and Preserve; and
at that time the preserve area and Dry Bay was added
onto the park. When ANILCA passed, it did not
provide for authorization of Title VIII Subsistence
in Glacier Bay. So that Glacier Bay on this map
over here, the big purple area in the Northcentral
part is a nonSubsistence area. That fact has caused
significant conflict between the National Park
Service and the people of Hoonah over the years.

MR. THOMAS: I have a question right
there. It was not designated in ANILCA as a
Subsistence area; is it designated as a
nonSubsistence use area?

MR. HOWELL: I can't answer that
question. Can you answer that?

MR. SUMMERS: It's not; it's silent.

MR. THOMAS: So they threw in some
arbitrary package in there.

MR. HOWELL: I don't know about
that. When ANILCA was enacted, there were six park
areas already in existence in Alaska; Glacier Bay
was one of those six. Three were in the Southeast,
Klondike Gold, Russian Sitka. It -- basically the
way it happened was that it didn't say that they

1 were for nonSubsistence users; it just simply did
2 not authorize ANILCA, Title VIII ANILCA in those
3 areas.

4 MR. THOMAS: How much of Glacier Bay
5 is Federal public?

6 MR. HOWELL: Federal public, 3.3
7 million acres.

8 MR. THOMAS: Is that point to point
9 of the purple? It's everything within the
10 boundaries of this area?

11 MR. THOMAS: So that would include
12 the salt water as well?

13 MR. HOWELL: Salt water as well. And
14 the boundaries of the park extend offshore. If you
15 can get close to the map up there, you can see
16 there's a shaded area that indicates the boundary of
17 the park offshore.

18 MR. THOMAS: We'll have a little more
19 to work with after a while.

20 MR. HOWELL: Okay. Although many
21 Subsistence activities that the Hoonah people
22 traditionally participated in were allowed to
23 continue after the park was designated, such as seal
24 hunting and seagull egg gathering, over the years
25 those activities were curtailed and eventually
terminated. Seagull eggs sometime in the 1960s.
We're not exactly weasel hunting was actually
terminated in 1974.

MR. THOMAS: Was that the 19 sound
management practices?

MR. HOWELL: It was primarily --
that's part of it, but it was to basically bring
Glacier Bay into compliance with the laws that
govern the park. Part of what was happening was
that there are laws that were in place that the Park
Service simply was not enforcing, and so they were
brought into compliance with the Federal law.

MR. THOMAS: The less -- the more
learning -- I'm perpetually learning about this, the
less compelling the current regulations are.

MR. HOWELL: It is a complex history
that we're in the process of sorting out. I'll get
to that in a minute.

MR. THOMAS: Continue.

MR. HOWELL: We -- the Park Services,
however, over the years has interacted with Hoonah.
Often those interactions have been strained, but we
have been committed to improve those relations. In
1995, the National Park Service and the Hoonah
Native Association sat down and signed a memorandum

1 of understanding which established a
2 government-to-government relationship; and it also
3 established a process of serious dialogue where we
4 were committed to sit down and talk about these
5 issues.

6 In 1997, the National Park Service
7 hosted a two-day conference in Bartlett Cove on
8 traditional ecological knowledge. The outcome of
9 that conference was that after two days of visiting
10 with many of the Hoonah Elders and representatives
11 from the tribal government -- I believe we had about
12 20 people from Hoonah there, representatives from
13 the Park Service, also representatives from ADF&G,
14 Bob Shorter was there -- Schroeder was there. And
15 at the end of that conference the group in
16 attendance made a prioritized list of
17 Subsistence-type issues that we agreed to address.
18 We prioritized that list in order of importance; and
19 at the top of that list was seagull eggs, seals, and
20 mountain goats. Those were -- basically that order
21 was selected by the Hoonah representatives at that
22 meeting; so the Park Service at that time agreed
23 to start looking into those issues, the history
24 behind them, and to start exploring the ways in
25 which we might be able to change the way the park is
administered so that some of those activities might
be able to resume.

MR. THOMAS: What was the reason for
the prioritizations?

MR. HOWELL: Because of limited staff
time, complexity of the issues, and just the need to
be able to focus on issues and start working toward
some kind of a resolution. We realized that if we
took everything on at once, it would just be too
cumbersome.

MR. THOMAS: That wasn't a drop-dead
point, then?

MR. HOWELL: No, it wasn't. No.
No.

And so in 1997, we agreed to first
look at the seagull issue. That was also coinciding
with the time when Congress was ratifying the
migratory bird treaty, and there -- there were a lot
of people talking about what was going on there;
that was possibly one of the other reasons why the
seagull egg issue rose to the top of the list, but
the National Park Service secured funding for
research into the issue. We realized right off the
bat that the first order of business was to gather
information, and so we got funding to conduct an

1 iconographic study to gather information on the
2 Hoonah tradition of seagull egg gathering; and the
3 intent of that research was basically twofold, to
4 gather information together that we could then use
5 at Glacier Bay to present to policy-makers up the
6 line -- that means Anchorage and Washington, D.C. --
7 to inform them about basically what it was we were
8 talking about and, also, to provide us with
9 information that if a -- the ultimate result were to
10 allow a resumption of seagull egg gathering, then we
11 would have also the information necessary to devise
12 a management plan.

13 MR. THOMAS: Was that study of
14 ethnicity helpful?

15 MR. HOWELL: Yes, it has been
16 tremendously helpful. We commissioned a team of
17 anthropologists from the University of Washington to
18 do the study. Tom Thornton, who many of you in the
19 room may know, is an anthropologist at the
20 University of Alaska Southeast, and was hired by the
21 University of Washington to participate in that
22 study; and we are in the process of finalizing that
23 report right now. In fact, there should be a draft,
24 a final draft, arriving in my office next week.

25 Concurrent with that study, we also
26 commissioned a team of biologists working with the
27 USDS biological resources division to go out to
28 South Marble Island in Glacier Bay, which is the
29 primary seabird registry in the park; and it's the
30 favored place where gull are gathering of the Hoonah
31 people. We commissioned a team of biologists to go
32 onto the island last summer and start to collect
33 data on the health and productivity of the Kuskokwim
34 gull colony on that block. And that will go hand in
35 hand with the iconographic study in terms of looking
36 at the feasibility study of allowing gull egg
37 collecting to continue in the park and also to help
38 us devise a management program should that come
39 about.

40 MR. THOMAS: Was that the first
41 observation?

42 MR. HOWELL: We did have some
43 observations in the 1970s from the biologists, but
44 we needed to get some up-to-date information on
45 that. One of the things that has been going on in
46 Glacier Bay in terms of bird colonies is that
47 through time many of the islands that they have
48 colonized and used as rookeries have been getting
49 revegetated because of the natural seasonal
50 processes in Glacier Bay. There has been through

1 time a diminishment of productive ground for bird
2 colonies, so we wanted to get a handle on that and
3 look at what's happening at South Marble Island
4 right now. For example, one of the things we
5 noticed is that there used to be a lot of collecting
6 on North Marble Island as well. There are two
7 islands out there. But today there are almost no
8 birds nesting on North Marble Island, and that's
9 because the vegetation has come in and covered it
10 almost completely. So, there has -- one thing that
11 we've really got to get a handle on. So, we are
12 currently in the process of finalizing our
13 iconographic report. Our biologists will have
14 another season in the field next year, and then we
15 have also been working at informing people both
16 within the Park Services and the Department of
17 Interior about what we're doing so that people all
18 the way up the line are informed about what's going
19 on here; and this goes all the way to the Secretary
20 of the Interior, and they're going to be ready when
21 these reports hit the pipeline to start looking at
22 them and evaluating them, and I'm looking at ways in
23 which we might approach this.

MR. THOMAS: Would it be possible for
13 you to share with us, when you get to it, about a
14 two-page finding?

MR. HOWELL: What we're going to do
14 is -- the full report is about that thick, and what
15 we're going to do when we get it is -- we're not
16 going to throw it at you.

MR. THOMAS: We're not biologists;
16 we're --

MR. HOWELL: We're going to distill
17 it into an administrative study.

MR. THOMAS: We want to be
18 bureaucrats. We want to have two pages at a time.

MR. HOWELL: We'll distill that into
19 an administrative summary and be sure that your
20 Council gets that.

MR. THOMAS: I want to be careful
21 with the summary too. The first report I got came
22 in three boxes on a handcart. I didn't even open
23 it. I threw it in the landfill. I called them up;
24 and I said, "I'm not interested to get where you're
25 at. I want to see where you're at. That's all I
want to see." I said, "I want a summary." So I
only got one box the next time. So I called them
back; I said, "No more than four pages." And I got
it. That was so much better. I mean, you know, I'm
not interested.

1 MS. GARZA: I want the full report.
It always has good data.

2 MR. HOWELL: You want the full
report?

3 MR. THOMAS: There's an education gap
between her and I.

4 (Laughter.)

MR. HOWELL: I will also point out
5 that throughout this process we have continued to
work very closely with the Hoonah Indian Association
6 that Barbara was in. We had several issues with
her. We've continued. We've had some bumpy areas
7 along the way. Many of you may have read about an
incident we had last spring when a fellow went in
8 and harvested last spring. We had to contact him
and confiscate the eggs. Working with the Hoonah
9 Association, we were able to get the eggs put back
in the community; and it went to the Elders, and
10 they greatly appreciated that.

MR. THOMAS: Is that a new way of
11 harvesting?

MR. HOWELL: A different route.
12 We've talked several times throughout
the course of these last few days about how
13 cumbersome the Federal bureaucracy is and how slowly
things move; and with that in mind, before the gull
14 egg study and process was completed, I moved ahead
and started the No. 2 item on the list, seals, and
15 wrote a funding grant on that; and we got a
three-year funding to do comprehensive study for
16 harbor seal. We hired an anthropologist this last
September to start working on the project. We
17 wanted to take a different approach on harbor seals
because it has such a very long and complex history
18 at Glacier Bay. We wanted to have somebody on hand
instead of going to Seattle.

19 We were very fortunate in being able
to find an anthropologist who is also a Hoonah
20 Tlingit, has recently done his master's degree in
anthropology from the University of Alaska
21 Fairbanks, Ken Austin. He's now stationed in
Bartlett Cove and has begun working on the seal
22 study, so we'll basically take the same approach on
that as we've done on the seagull egg fishery.

23 Fortunately, we have already got a
lot of biological studies on seals on Glacier Bay.
24 We're not going to have to do a separate biological
study on seals. Mountain goats is down the line,
25 No. 3 on the list; and we haven't tackled it yet.

I haven't talked about other

1 resources. Throughout this process, we have been
2 encouraging people from Hoonah to come in the park
3 and gather those Subsistence resources that are
4 currently gatherable under current regulations,
5 current law. We've initiated a berry project where
6 we have -- for the last four years we've been taking
7 boats to Hoonah and loading them up with berry
8 pickers and going both into Dundees Bay and Glacier
9 Bay proper to harvest berries. We did two trips
10 this year, and they were very successful.

11 I haven't talked yet about fish
12 either; that's another important Subsistence
13 resource that we recognize. It is important to the
14 people from Hoonah. I should point out that
15 throughout the course of the last five years as
16 we've been starting to work on these thorny issues,
17 Subsistence issues, we have also been in the process
18 of commercial fishing issues and resolution of that;
19 so in some ways we've been running counter -- we've
20 been saying, "Yeah, let's work on this one" and
21 looked for ways to provide access while at the same
22 time we've been on a separate trajectory level
23 working on the commercial fishing issue and the
24 eventual phase out of the commercial fishing in
25 Glacier Bay. In some ways it's put us at odds; but
once again, through continuing dialogue and a lot of
long frustrating hours, we've been able to hang
together on these issues. We have -- throughout the
course of the commercial fishing issue, we had a
public working group, a group of stakeholders that
met a number of times; and during those discussions,
even though it looked like the direction of the
commercial fishing issue was heading toward a
phase-out, there was input from that group that
indicated that, whatever happened, that there should
be some way to recognize the important cultural
connection of the Hoonah people to Glacier Bay and
to its marine resources; and through that process,
the notion of a cultural fishery began to evolve;
and we developed it into just basically a concept
that was then incorporated into the proposed rule
and, again, in the repropose rule in the Federal
Register; and in that process, the public was able
to comment on what they thought of that concept; and
those public comments we analyzed and found that
there was really a tremendous amount of public
support for the notion of a commercial fishery of
some type, and so this last summer we also sat down
with a group from the Hoonah Indian Association to
start formulating -- to start fleshing out what that

1 concept means in terms of the cultural fishery for
the Hoonah, Tlingit, and Glacier Bay.

2 MR. THOMAS: I have a question.
What's your job title?

3 MR. HOWELL: Cultural resource
specialist.

4 MR. THOMAS: What would the Park
Service expect from you in that capacity?

5 MR. HOWELL: In my position, boy, I
6 have about three hats; and, like Bob, I've got about
five thirds to my job. My job is basically to work
7 as a liaison and coordinator between the park and
Hoonah and to basically try to bring all of the
8 parties together to work on these plans. So, for
example, for the cultural fishery meetings, I
9 organize the meetings with the tribal administrator
in Hoonah. They brought their delegates together,
and then my responsibility was to bring the park
10 superintendent, the resource management specialist,
and our fishery biologist together. And then
11 another researcher as well to start working on this
plan; and so, basically, I'm a liaison and a
12 coordinator, kind of like what Fred does.

MR. THOMAS: To your knowledge, has
13 the community of Hoonah been represented in a
balance with the residents of that community, like
14 the Elders, the tribal members? They've got all
kinds of hats; I've never seen a small tribe broke
15 up into so many organizations.

MR. HOWELL: That's a good question.
16 To my knowledge, I think we've done a good job of
it.

17 MR. THOMAS: Is the representation
balanced throughout the community? Parts of the
18 community that could be there will deliberately
leave out other parts of the community.

19 MR. HOWELL: In terms of different
factions in the community?

20 MR. THOMAS: Uh-huh.

MR. HOWELL: We have attempted to
21 make as much information available to the public as
possible. As an example, we have had public
22 meetings in Hoonah on some of these matters; and
when we do, we broadcast it as much as possible. We
23 bring up notices; we have an announcement on TV and
scanner so that anybody who is interested is able to
24 come out to these meetings.

MS. RUDOLPH: Mr. Chairman, during
25 the time I was president, we had found out about the
fisheries; and by the time we got the group together

1 to come up with some kind of regulation, when I met
2 with Wayne and the other one from Glacier Bay I told
3 them the regulations they had really wasn't going to
4 apply to us as a tribe, that it was above our tribal
5 heads what they were trying to do. So I asked him,
6 "Why can't we come up with our own; why can't we
7 meet with you guys and tell you what it is we want,
8 that we've been doing?" And by the time we got
9 ready to go, we flew in an administrator; and I flew
10 into Juneau, and I had talked to Ms. Roswell. She
11 was in Juneau, and she thought it was a great idea.
12 When we got together and finally put a draft
13 together to run into the meeting, we found that it
14 had already passed in Washington, D.C.; and so we
15 couldn't come up with a tribal fix on how we wanted
16 the regulation. Last summer they started picking
17 up. What he says about trying to get the tribal
18 members in there, during the time I was president
19 I'd literally call everyone and let them know, "This
20 is what's happening"; and during the time I was in
21 there sometimes just four, five of us met in there;
22 so, it was with a lot of hesitation that the tribe
23 would come in. I know he got it under a lot of
24 attacks because they weren't jumping in and saying,
25 "Okay. This is where we got all this stuff"
because they felt that if they gave that
information, that part would be taken from us. So,
it was -- when he talks about the meeting in Glacier
Bay, it was like everybody told their personal story
on how they stayed in Glacier Bay, how their
grandmother, their grandfather; and they went all
the way back, but nobody really had an idea of what
they were delegated to do over there. Everybody
told them how they felt about the place. Even my
mother went. She was really sick, and I wasn't
going to go. She was sick. At the last minute she
grabbed her coat and went on the boat. She was
sick. But she said she was glad to be home for a
short while. She was sick all the way, but she said
she was glad to be home. The ones that came back
didn't have anything to give there; they went there
and told them about the land, how they stayed there,
how they did this; so it was almost like -- during
the time I was president, I kept trying to get the
committee to come forward with some idea of what it
was we were going to try to do to work with the Park
Service; so right now it's -- I think a lot of us
are still unaware, not that I'm in the IRA; I'm
going to try to get back in next month. A lot of us
do not know what's happening; we're not being kept

1 informed of what's happening. I didn't know Wayne
2 was coming out to Hoonah. I'm a tribal member, so a
lot of us are in the dark; and there is a few moving
on it.

3 MR. THOMAS: Thank you for sharing
that, Mary. I suspected that to be the case.
4 That's why I pointed the questions the way I did,
and so that makes it difficult for you to come up
5 with a sense of direction if the affected community
is not going to give you an idea.

6 MR. HOWELL: That's true. Mary
pointed out how difficult it is to contact people.
7 You said you were calling people individually, and
you'd still get five people out.

8 MS. RUDOLPH: The one time we had a
real big meeting where we had quite a few at the
9 meeting, and it was -- I don't know -- he had to
cancel his train back to Glacier Bay; there was so
10 much anger in trying to get him to tell them that
they could come back to Glacier Bay. It was okay.
11 We want to get our seagull eggs. We're not going to
tell you where we got them from. He couldn't say,
12 "You guys can go there tomorrow." It was -- he had
to cancel his trip because he couldn't answer all
13 the questions that came up.

MR. THOMAS: Really? Why didn't you
14 tell them they could go back?

MR. HOWELL: I wish I could, but --
15 several things came up when Mary was talking also.
In terms of that conference when your mom came over
16 and the other Elders came back and felt empty handed
that they didn't have anything to bring back, what's
17 coming back --

MS. RUDOLPH: No, they didn't feel
18 empty-handed. They wanted to go over there to see
their home again; but they didn't come back with
19 anything to say, "Well, this is what we asked them
to do" because there was just the idea that they
20 went over; and they talked about the nice meal they
had there and the place to stay, and they got to see
21 their homeland and stuff; but it was just -- it was
almost like coming over to cry on your shoulder and
22 then leaving and go back home again.

MR. THOMAS: See, that probably
23 turned out to be more of an emotional voyage than it
was anything else because with that being so close
24 to them in all aspects of their culture and their
ancestry to go back, they were probably so wrapped
25 up in their emotions that they weren't able to think
of anything rational that they thought they could

1 have something to share with you.

2 MR. HOWELL: Actually what they said
3 made a lot of sense; what I'm presenting is a result
4 of that meeting. The seagull egg study.

5 MS. RUDOLPH: The committee put that
6 together after we really had to go after them to
7 say, "Okay. We need to get something to them. We
8 need to know what we want."

9 MR. HOWELL: I failed to point out
10 that also as a result of that meeting, we formed a
11 committee; there were four representatives from
12 Hoonah.

13 MS. RUDOLPH: Those are the four.

14 MR. HOWELL: The Elders selected
15 four, and the Park Services selected three; so we
16 made a seven-person committee to look into those
17 issues. What has come about as a result of that is
18 what I'm presenting here. Also, you talked about in
19 that process of the commercial fishing hearings,
20 just when Hoonah got your document together to
21 present was when Senator Stevens negotiated the
22 final settlement back in Washington; so it basically
23 cut the process off. The whole public processes
24 were involved and came to an end. However, we got
25 back together with Hoonah to start talking about the
cultural fishery concept. The Hoonah document that
you prepared for that meeting became the seed for
exploring the cultural fishery. Basically, it
became the foundation blueprint for what we started
to pursue. So it did have an effect, and it did
come off. Once again, it just takes time; but we
saw the value of that when we prepared it, and in
working with HIA we held onto it; and we are
continuing to use it. So we're just in the initial
stages of working on the cultural fishery concept.
We've only had one meeting; and it's going to be,
once again, a long, drawn-out process; but we think,
once again, we're headed in the right direction.

20 MR. THOMAS: Does the Park Service
21 have a manager of Glacier Bay in ten years?

22 MR. HOWELL: We do have several
23 components of the management plan, but we're in the
24 process right now of working on the resource
25 management plan; and it's due to be completed in
December, and there will be an important cultural
aspect to that plan; and -- in fact, I'll be writing
that. In fact, I should be there writing it right
now, rather than being here; but I didn't want to
miss this meeting. If you would like, I can also
see that you get a copy of that.

1 MR. THOMAS: It sounds to me the only
2 reason you came to Angoon was to take in the good
3 food.

 MR. HOWELL: Good food.

3 MR. THOMAS: Anymore questions for
4 Wayne?

 Are you done?

 MR. HOWELL: I'm done.

5 One thing, I did bring some maps
6 along to show the -- in terms of the commercial
7 fishery, I've got maps that show where the open
8 areas are, where the closures are, and what the
9 different categories of waters are. If you'd like,
10 I can pass those on. I've also brought copies of an
11 information sheet that details our vessel management
12 plan. I believe there were some questions at the
13 last meeting about access to Glacier Bay and how
14 that works, and so I brought some copies of an
15 information sheet on the vessel management plan as
16 well.

11 MR. THOMAS: If you don't take them
12 back, we'll take them back.

12 MR. ANDERSON: Can you pass them
13 out? Kookesh?

13 MR. KOOKESH: I walked in here. I
14 wanted to get a report on the preliminary data that
15 shows that the harbor seals are declining in Glacier
16 Bay.

15 MR. HOWELL: We just got that report
16 several weeks ago over there; and the biologists
17 working on the harbor seals in Glacier Bay have
18 noticed in their annual counts, both on ice
19 haul-outs and on terrestrial haul-outs over the last
20 several years, they've noticed a significant decline
21 in harbor seal numbers. They're not sure what's
22 causing the decline, but it is -- I believe in some
23 years between -- from year to year it's varied
24 between 20 and 48 percent, I believe, in terms of
25 the decline. They think that the decline on some of
the terrestrial haul-outs has to do with visitor
impacts even though the haul-outs are designated as
no-traffic zones. We don't permit visitors to go to
those areas. We don't have rangers in the field all
the time to enforce that. And we have had several
incidents where kayakers have gone onto the seal
haul-outs and set up camp and scared the seals out.
So that may attribute to the decline in the counts.
It doesn't mean that seals aren't in the bay. It's
just that they're not at the usual haul-outs, so
they can be counted.

1 MR. THOMAS: Was the kayak
2 confiscated?

3 MR. HOWELL: No, the kayaks weren't
4 confiscated; but I think the visitors were notified
5 to move off, and they may have been cited. I'm not
6 sure of that.

7 MR. THOMAS: Does someone have a hand
8 up? Nobody had a hand up on my right-hand side.
9 You reminded me of a guy from Yakutat -- one more
10 thing. You're representing?

11 MR. SUMMERS: National Park Service,
12 Clarence Summers, S-u-m-m-e-r-s. Council members,
13 Mr. Chairman, I've got some information here
14 regarding our Subsistence Resource Commission
15 Program. There's seven national parks and monuments
16 that have Subsistence Resource Commissions. As you
17 know in your charter you have the authority to make
18 an appointment to the Wrangell/St. Elias Resource
19 Commission. I wanted to remind you that John Vale
20 is currently serving in that role as your
21 appointee. Our Commission's charter allows him to
22 do that until you take action to make a new
23 appointment. John's term that he's in, John Vale's
24 term expired February, '99. Currently Bert has
25 expressed an interest in that position. He's
 qualified. He serves on a Regional Council. That's
 a requirement, or a local advisory committee,
 currently John Vale is serving on a local advisory
 committee in Yakutat and could be considered also
 for an appointment if you would like to do that.

 I'd like to -- a commission in
 Wrangell/St. Elias, want you to know that Lake Park
 National Park and Reserve, there's a commission; and
 they have prepared a Subsistence plan. It includes
 recommendations on policy, some background on the
 Subsistence role and function; and it's here and
 available for committee comment, and I can get more
 copies if you'd like. A similar plan was prepared
 by the Parks Service and the Subsistence Act in
 Denali National Park. I have a copy of a draft
 plan. I believe a previous meeting in Yakutat you
 saw the Wrangell/St. Elias Subsistence Plan. That's
 in revision and will be available. I'll provide
 members, if you'd like, copies of that plan also.
 I've got one other item. In the areas where
 Subsistence is authorized we're preparing
 Subsistence guides for the users. This is an
 example of the user guide for Denali National Park;
 and I've got another example of the
 Wrangell/St. Elias current Subsistence guide, a

1 little different format, a local map; and it's got
2 some basic information about Subsistence use areas
and the commission and some of the regulations that
affect Subsistence users.

3 So, that's all I have unless you have
questions.

4 MR. THOMAS: Vicki?

5 MS. LeCORNUE: Is it appropriate at
this time to make a motion to appoint Bert Adams to
replace John?

6 MR. THOMAS: Sure.

7 MS. LeCORNUE: I so move,
Mr. Chairman.

8 MR. ANDERSON: Mr. Chairman, I second
that motion.

9 MR. THOMAS: Moved and seconded.
Appoint Bert Adams. Question.

10 MS. GARZA: Call for the question.

MR. THOMAS: Question is called. All
those in favor, say "aye."

11 COUNCIL MEMBERS: Aye.

12 MR. THOMAS: Opposed?

Next the report from our new
representative to St. Elias.

13 MR. ANDERSON: Congratulations.

14 MR. SUMMERS: What I'll do is meet
with Bert and bring him into the forefront. We
prepared a meeting in December. I've prepared for
that. I don't have anything else unless there are
questions.

16 MR. CLARK: One of the requirements
for serving as the Yakutat representative was that
the Regional Advisory meets in Yakutat; you're
responsible for making sure that Mount St. Elias
keeps her hat off. So the sun will shine when we
move there.

19 MR. ADAMS: I hear you. No report
until after I meet with Clarence. That brings us to
oral -- Marilyn has some other.

21 MS. WILSON: Yes, Mr. Chairman, I had
a story to tell first because of all these reports
we've been having. We had a meeting in Haines with
the Caribbean Cruise Lines because of all the
dumping they've been doing, and apparently only the
City was going to talk to them; but the city was
there, and it was at our ANB hall. The city fathers
were there and the Council members, the
conservationists; and a lot of our Native peoples
were there, and one of the conservationists spoke
up; and they spoke about the fish that was being

1 destroyed and how they used the fish, and he
2 mentioned killing the fish; and when I got up and
3 talked, I said -- I didn't know the difference
4 between conservationists and Subsistence users. Now
5 I know. Conservationists kill their fish, and we
6 catch ours. So I thought that was a little
7 light-hearted something to bring up.

8 But I wanted to know about the river
9 system up there in Chilkat that goes up through
10 Klawock. Klawock is a reserve, and I want to know
11 if the river system right adjacent, right by it, is
12 considered Federal. Can anybody answer that?

13 A SPEAKER: I don't think it is.

14 A SPEAKER: I'll look at the map.

15 MR. CLARK: That's all State.

16 MS. WILSON: The whole river is

17 State.

18 MR. CLARK: Yeah.

19 MS. WILSON: Why are they a reserve,
20 then? They're a reserve. Shouldn't the river be
21 Federal?

22 MR. CLARK: State reserve.

23 MS. WILSON: Right by them.

24 A SPEAKER: You want a regulation
25 map -- regulation book of maps. Did that help?

MS. WILSON: It doesn't show it on
this one that clearly. It just shows the river.

Klawock is 22 miles from here. It's
an Indian reserve.

MR. THOMAS: When you guys are
discussing questions on the agenda, the reporter
needs to be able to hear only you.

Anybody that's behind Clarence is not
on the record. They must come up to the thing.
Whenever we have a pause like that, please consider
the reporter and her ability to be able to hear.

Thank you. That's the last warning
you're going to get.

MR. CLARK: Mr. Chairman?

MR. THOMAS: Fred?

MR. CLARK: I think I may have a
clarification for Marilyn. I don't know a great
deal about this issue, so I could be a little bit
wrong; but I think the general thought is that the
reserve at Klawock -- Klawock originally was a
reservation, an Indian reservation. During ANCSA
that was given up, as it were, as a selected land
for the village corporation. Of course, some --

MS. WILSON: No, no. I don't think
so. It was Long Island that was a selected land.

1 They're still a reserve, as far as I know. Not a
reservation, a reserve.

2 MR. THOMAS: We'll have to explore
that. Apparently we don't have the answer right
3 now. We'll have to explore that, and don't call us;
we'll call you.

4 MS. WILSON: Thank you.

MR. THOMAS: Okay. That takes us
5 down to Tab F, No. 9. State agencies, tribes, other
organizations presenting copy of key points and
6 material distribution will be appreciated prior to
the meeting. Apparently nobody read that because I
7 haven't got nothing.

I got two people from the tribe that
8 want to speak. Marlene Zuboff, come on down.

MS. ZUBOFF: Thank you for giving me
9 this opportunity this afternoon to address you.

MR. THOMAS: Spell your last name for
10 the record.

MS. ZUBOFF: My name is Marlene
11 Zuboff. My last name is spelled Z-u-b-o-f-f as in
Frank. I'm the executive director for the tribal
12 government and the community association to offer
all of the Southeast Alaska Federal Subsistence Act
13 to Wilderness Angoon Alaska, the only community in
these whole United States that is living on a
14 national monument. Our people have lived on these
lands from time immemorial. The non-Natives have
15 documented as long as 10,000 years. Our oral
history goes back to the creation of the earth and
16 coincides with the Bible as our Elders tell us. Our
histories are rich oral history. You have beared
17 witness to the stories of the bombardment of Angoon
and the findings of the part of our history that we
18 claim we owe our very existence to, the beaver canoe
prow piece. That one inanimate object saved a whole
19 community and was treated as if it were a human
being. That canoe when it came upon the town in a
20 heap of ruins had to work day and night finding
shelter and food for all of the people. About six
21 children died. It's not known how many people died
for lack of shelter, proper clothing, and proper
22 food. The people had to decide the order of who
would eat first next and so forth. We knew that
23 many of our Elders went for days not eating so that
the women who were pregnant, nursing mothers, and
24 children were the first to eat. That canoe, as our
bear clan leaders spoke of during the museum
25 ceremony in Juneau, found Angoon lying in a heap of
ruins smoking from the bombardment and the shelling

1 of Angoon. Right now that prow piece came home to a
2 different smoke and a different fight, a fight as
3 our non-Natives say Subsistence way of life. Our
4 Tlingit people have always lived off the land and
5 sea, not just for our diet, but for our cultural
6 existence as a people who are one with the land and
7 sea.

8 We have been brought up by our Elders
9 to be natural managers of the land and sea. They
10 taught us if we take care of the renewable resource,
11 that it would always be there for us. They taught
12 us to make decisions in the best interest of our
13 children to come. That should be the only way we
14 make a decision, in the best interest of our
15 children to come.

16 We have to leave them a far better
17 place than the one we have lived in. It used to be
18 that we as a people had only ourselves to be mindful
19 of our own activities on the island. Now we find we
20 need to be watching all the activities around the
21 island and places such as Russia, our neighbors. Do
22 you know that the Russians are dumping nuclear subs
23 in their ocean? This is cause for worry for all of
24 us, not to mention the cruise ships that have been
25 using the waters as a dumping ground.

1 We all have to take a serious look at
2 what's happening to this last frontier. If we are
3 making statements about the fish having poisons, for
4 lack of a better word, embedded throughout the fish,
5 then we'd better heed the warning sign. It has been
6 documented with the State of Alaska and the Federal
7 Government that the community of Angoon rely heavily
8 off the resources. We have an inherent right, as
9 you heard our Elder, Mark Jacobs, state. It cannot
10 be taken away. Alaska was barely a state 17 years
11 when commercial herring fishing was opened up in
12 Favorite Bay, an area considered a Subsistence area
13 for Angoon people. You can get fish, shellfish,
14 deer, berries from that one area. The same goes for
15 Mitchell Bay, which is considered a good area and
16 merits special attention. When commercial fishing
17 was opened up in Favorite Bay it almost totally
18 wiped out the bay with just one opening. A petition
19 was taken around the community by a non-Native man
20 who came to live in Angoon because of basketball.
21 He was attending college in Sitka. Many of you
22 probably know Jay Lavan from Gold Medal.

23 He didn't believe that commercial
24 fishing should be opened up near a community that
25 relied heavily off the land. To date the herring

1 has not come back to the numbers that we used to see
2 here in Angoon. We used to be able to get out other
3 herring eggs. I just took a break a couple of
4 moments ago and seeing the salad that was in the
other room and saw the eggs in there, I couldn't
pass it up. Very important to our diet as a Native
people.

We know that Sitka tribes also
5 considered closure of their herring fishing. But
6 we -- they knew that it would be met with much
7 objection. So they drafted a resolution requesting
8 a reduction of the harvest rate. From Hydaburg all
9 the way up to -- up north here, even Angoon, we rely
10 on Sitka's harvest of their herring. I remember
11 there was a time -- and many of the Native seine
12 boat operators will remember that there was a time
13 when a seine boat would be hollering "May Day, May
Day. We have too much fish on board, and we're
sinking." All this while they were pitching off to
another boat running alongside of them as they
approached the cannery. One's tied up to the dock;
the men would be pitching out fish while the cannery
superintendent was pumping the boat manually while
an electric pump was being hooked up. Now you hear
of a boat bringing in about 500 to 1,000 fish, and
they did well.

14 If we are to have the resources then,
15 we must teach our non-Native brothers and sisters
16 that to take all the young resources is to cause the
17 resource to become extinct. Here in Angoon we teach
18 our non-Natives to be respectful of the land and not
19 to take more than they need, to utilize all parts of
20 the resources. We have some men who are married
21 into the community who can stand with the best of us
22 in putting up fish and food. Many Tlingits know
23 that March and April is the best time to put up
halibut dry fish because it has less fat. And that
when the grouse starts to hoot we don't eat any
clams. Halibut needs to be designated as a
traditional use resource. The community of Angoon
is 85 percent unemployed with no economic base. Our
electrical rates are one of the highest in the
nation. We pay about 38 cents a kilowatt. Our fuel
to heat our homes has to be barged into Angoon as
well as food.

Angoon Community Association, the
24 City of Angoon, and Kootznooowoo have all been
25 working actively together to address our economic
base. We communicate on a regular basis with one
another. We started off by having several vision

1 workshops in September and in May of this year.
2 Paramount to Angoon is the fact that we are the only
community living on a monument.

3 Our people fought to protect our
4 island from logging, and many of you have heard
about our wildlife that run through our streets. I
5 don't know if you had the opportunity, but it's a
6 fact that even the bears will come walking down.
7 Those of you that live in Kootznoowoo Lodge, we use
the citizen band radio as our first alarm; and so we
8 warn one another when there's a bear around. So,
many times you can come to Angoon and see a bear
9 running through the streets and put the seed in the
wilderness. In the mid-'70s, the bears outnumbered
10 the people. There was about one bear per square
mile; we counted about 2,000 bears on the island.
The same numbers for the eagles, which is why our
people went to having some designated as a monument
wilderness area.

11 We have to be able to bring
improvements to our island that would least impact
12 the island and the people. As of now, the impact is
yet to be realized with all the activities taking
13 place on and around the island. We need to preserve
the pristine state of Southeast Alaska as one of the
14 rain forests of the world. This rain forest runs
from Southeast all the way down towards Mexico.
15 You, the Council, are very important to all of us.
You make decisions that affect all of us. Thank you
for coming to Angoon for your Regional Advisory
16 Council meeting. The tribe requests that you keep
the tribal government on your mailing list and
17 inform us of your next upcoming meeting. We have
certainly enjoyed your presence in Angoon. May you
18 have a safe journey home.

19 I want to share with you. I thought
it was most fitting because I talked about cruise
ships dumping in Southeast. In yesterday's news
20 page you had loopholes to let cruise ships dump
pollution in our Southeast waters. Right on the
21 same page, it talks about the beaver prow piece
coming home to Angoon; and I talked about how one of
22 our Elders said when Angoon was bombarded, the canoe
came to find the town laying in a heap of ruins; and
23 now it came home to find us talking about
Subsistence for our people, our traditions. I also
24 want to show you several documents. One of them was
by the corporation in October of 1982; the
25 corporation made a booklet on commemorating --
commercialization of the bombardment of Angoon, and

1 in there you heard our Councilman, Peter
2 McCluskey -- you heard them talk about the story of
3 his uncle when he was only 13 years old; and the
4 story was documented by Fredrica DeLaguna and
5 Phillip Trucker, and in here it says they left us
6 homeless on the beach. Very -- very important
7 statement because when Angoon was bombarded, those
8 of you in Juneau, I don't know if you remember the
9 article that came out in the Juneau Empire that
10 talked about the one live shell that was detonated
11 and how people felt the repercussions of that shell
and heard it. When articles were being printed in
the newspaper, I tried to get Juneau Empire to make
a statement in there to say you only heard one
shell. Can you imagine numerous shells being bombed
at a community? At the time Angoon was bombed, the
majority of our men were in Juneau, which is -- was
also called Harrisburg; and they were working in a
mine, so you had mostly old women, children, mothers
that were left in the community when we were
bombarded.

I have a letter here from the State
of Alaska, Steve Hendrickson, the curator of
collections; and the reason why I bring this out is
he was the one that found out about the letter that
you keep hearing about. He transcribed it, and as
you can tell it's in the style of 1882. This is
only a copy. The real one is at the Yale
University, in their museum.

So, in this letter you heard him
say -- and I'll quote from Steve's letter the
passage of particular interest is as follows: This
was the first chance our steamer has had for glory
in this crowd; it was too good to lose. Most of the
officers, including myself, thought that was
uncalled for. It would have been well enough to
have arrested the ringleaders. We knew there were
no ringleaders. There was a community doing as we
all do. When there is a death in the community,
everything stops. That boat was brought across
shore until after the interment, and the man was
laid to rest because he was considered a holy man.
He should -- they should have punished them, but in
this case many innocent people suffered more than
the guilty.

I guess back then they thought we
took some men, but Dr. Fredrica DeLaguna tested the
hypothesis of the question and found that it didn't
stand, that there were no people taken as hostages
because the first thing that E. C. Meriman asked for

1 when he came was blankets for the community of
Angoon. He didn't ask for the return of captives.
2 So, it did not stand the test of the question.

3 There were no captives taken. Only
the boat and the harpoon gun was said to be quiet
until after the man was buried.

4 The gentleman that wrote this article
said: We are all anxious to see the account the
5 papers will give of it and the report the captain
will give of it. In other words, how big of a lie
6 will he tell to justify himself.

I thought I'd share that with you
7 because right now this decision is before President
Clinton. Two of our IRA Councilmen, President Wally
8 Frank, Sr., Vice President Matthew J. Fred, Sr.,
traveled to D.C. along with our tribal lawyer in
9 respect to the bombardment of Angoon; and it sounds
like the main head guy is all for doing an apology.
10 However, he must receive the go-ahead from the
President of the United States.

11 The reason why we bring this out is
so important for our community that -- how far we've
12 come and all the things that have happened and that
we're still here and that our -- our history is a
13 testament to the oral history that has been passed
on down. Museum people in New York were very amazed
14 that even our young people knew about the history of
the bombardment and the beaver canoe prow piece
15 because each one of them that told the stories about
it had something to fill in; and they were quite
16 amazed that this history was still with us 117 years
later. I think it's a testament to the rich, oral
17 history that the Tlingit people have.

I want to commend you on the work
18 you're doing and to give you a pat on the back.
Many of you leave your homes, and you're here for
19 us; and we want to become more important and more
actively involved with you.

20 So, once again, may you have a real
good trip home. I wanted to share some of these
21 with you while you were here.

Thank you.

22 MR. THOMAS: Thank you, Marlene.
Thank you for your hospitality.

23 Maxine? Tom?

MS. THOMPSON: As my older sister
24 says, she gets long letters. My name is Maxine Fred
Thompson. Last name is spelled T-h-o-m-p-s-o-n.

25 Looking at the forms, I noted that
they were asking if we could speak on any proposals

1 and that we address issues of concerns -- I gave
2 some of them yesterday. I missed some issues, and I
3 believe that some of them are on the table for
4 consideration; and I commend the Council. One is
5 that halibut be designated as a traditional use
6 resource. I'm told the Council is considering
7 that. I think that's important for our people. The
8 second one is tribal participation. This is also
9 being considered, and I think it's going to assist
10 our communities; and it will also assist the Federal
11 entities on local documentation. It would provide a
12 tracking of the harvest, and it will also address a
13 concern of any overharvest that may be in place.
14 There's -- in your booklet in Tab F, under F, page
15 2, there is Subsistence use; and my concern is there
16 will be some variables that can cause distortions,
17 such as, for example, there are some smaller
18 communities that say that they have harvest --
19 higher harvest use in Angoon. They are smaller than
20 Angoon, so you have to compare apples and apples
21 when you're looking at those statistics tables. And
22 there's another concern I have on reporting
23 procedures, and the response -- how good of a
24 response do we have from the local level. If we
25 have the tribal entities helping monitoring, we'd be
able to get a much better reporting and a more
accurate table to represent Subsistence use.

I missed a portion of it yesterday.
I believe it was brought up. I personally have a
problem with having to obtain a sport fishing
license. I'm a busy person. When I go out, I don't
go out for sport fishing; and I know that it's part
of the documentation of our Native people. They
always had fresh fish. We not only made dry fish
and preserved our other fish, but we also had fresh
fish; so we had to go out for the one or two that we
needed for the table that night. So, I would like
the Council to look at our traditional use permit
that not only says we go outside because our areas
that we use are at a danger point -- everybody in
Angoon knows we go out for fish; we don't go inside
the bays. We also have traditional use areas that
all the communities are aware of, and we have one
that's documented in the Gold Myth and has
possessory rights book.

As Marlene mentioned earlier, we have
a strong concern about the cruise ships dumping
where they're dumping. Why are they allowed to dump
when we aren't? We have our small communities that
are held up against the wall by DEC and other State

1 and Federal entities that don't permit this. They
2 really go to great lengths to pressure the
3 communities, you know; but yet cruise ships can dump
4 wherever they please.

5 The other concern I have that was
6 mentioned yesterday also several times is the amount
7 of fish that's being allowed to be taken by sport
8 fishing. There are little if no limitations placed
9 on them.

10 During times of decreased fishing
11 such as not this past summer but the summer before,
12 we all know that we didn't have any fish; and the
13 people blamed it on El Nino. During those times
14 what develops is a great resentment from our local
15 small fishing boats when they are made to be
16 inactive and tied down in the harbors while sport
17 fishing are allowed to continue.

18 Another thing that also -- it's
19 another problem that is related to the amount of
20 fish that sport fishermen take is there was an Elder
21 woman that complained about the number of boxes of
22 sport fish that was taken out, and her one baggage
23 was left behind. She was not informed by the
24 airline that this would happen. Her heart
25 medication was left behind. So, there is a
preference of sport fishing boxes that are being
exercised not only on the small airplanes, but also
on Alaska Airlines. I had a personal experience in
September. I traveled to Seattle for personal
business or for business -- it was a business trip,
and I got down there a little after noon and
expected to do some other business that day. I
spent that entire afternoon and evening in the
airport; we were told that due to weather our
baggage was left behind. We counted a number of
boxes of fish that came down from the numerous
planes that landed, and some of those came from
Angoon. These were fish boxes. I did not retrieve
my bag until 11:30 p.m. that night, and Alaska
Airlines didn't feel the least bit upset about -- in
fact, they were put aside that I was upset; and
there's quite a few other people on that same boat.
There was -- or plane. There was a guy that had --
his diabetic medicine was in his bags; and if he was
on a trip out of Alaska, I'm sure at that hour he
would have had a hard time obtaining medicine in
Seattle, probably have to go to the emergency unit.

Another concern I have is -- I don't
know if it was mentioned -- cumulative impact. And
that's basically what we're facing here when we have

1 a lot of different entities competing for limited
2 resources. There is no monitoring that is taking
3 place, and I think we need to have the Federal
4 entities become more knowledgeable of local coastal
5 zone management and to relate that directly to the
6 permits that are being issued to outfitter guides.
7 In 1998 and 1999 both permits were issued in spite
8 of opposition from local municipalities; and due to
9 our local monitoring the year before, we were able
10 to remove two areas that were designated as
11 Subsistence areas, and these were listed on the
12 outfitter guides' intended use areas. I think we
13 need to exercise a little bit more enforcement with
14 the Federal jurisdiction of fisheries. I think we
15 have an opportunity right now to develop better and
16 deeper and more broader ways of relating with the
17 Federal Government and whatever other areas of
18 concern that we have as a Native people. This is
19 our prime opportunity, and it's a real exciting time
20 for our community; and I know the tribal government
21 looks forward to working closely on these -- as we
22 work on -- once again, protecting and preserving our
23 traditional and customary use. I'd like to say
24 thank you very much for having your meeting in
25 Angoon. We've enjoyed having you here.

MR. THOMAS: Thank you.

Tab H, regulation proposals.

MR. CLARK: Mr. Chairman?

MR. THOMAS: Fred?

MR. CLARK: Behind Tab H you'll find

16 a call for proposals; and there's a form in there, a
17 proposal form, that people can use to develop new
18 proposals. Following that is a letter that went out
19 sometime ago that shows the actions that were taken
20 by the Federal Subsistence Board in response to
21 proposals from last year. Unless the Council wants,
22 I won't go through those at this time.

23 So, that opens it up to developing
24 new proposals.

MR. THOMAS: That's it?

25 MS. GARZA: So, Mr. Chairman, under
new proposals, on occasion the Council has submitted
a Council proposal --

MR. THOMAS: Yes.

23 MS. GARZA: And in addition to that,
24 anyone can submit a proposal by November 5th for
25 game resources and then by March 24th for fishery
resources. The comment I wanted to make to -- is it
Max -- the second speaker?

MS. THOMPSON: Maxine.

1 MS. GARZA: To your concerns about
2 fisheries is that they need to be transferred into
3 proposal form and brought back to us by March 24th.

4 MR. THOMAS: Max is your expert on
5 proposals. He said don't bring any outside help; he
6 will do it himself.

7 MR. THOMAS: Raymond?

8 MR. NIELSON: Thank you.

9 Thank you, Mr. Chairman, Council.
10 Before hearing Sitka ANB we brought one proposal to
11 present to you. Our main concern is pretty much
12 generates Subsistence season on deer. They're so
13 rundown, I wouldn't consider eating one, hardly
14 edible. You can't cook it the way you prefer, so I
15 put some language in there; but right now I'd like
16 to present to you -- maybe you can do the work for
17 us. I'm not sure how to do this. We're concerned
18 about conflict of interest between the agency people
19 doing charter, guide, and cultural and having the
20 inside hand. We've had that problem with the State
21 and some Federal agencies. They can use our work
22 and guide -- they have a special interest in it,
23 whether it's a wife, girlfriend; and we are
24 concerned about that. We want to seek your help,
25 help us out. We are concerned about that.

I don't know how to do it.

14 MR. THOMAS: What you need to do is
15 find some way -- if it's not in a proposal form,
16 give us some kind of document that says what you
17 want done and let us know who it represents and make
18 sure that that representation knows about what
19 you're doing; and we'll find resources from within
20 the Council to help you generate that into a proper
21 proposal. But we can't -- we can't take an oral --
22 an oral request and develop any kind of proposal
23 from that.

19 MR. NIELSON: I can do this. This is
20 the initial concern, not only game but fish too.

20 MS. WILSON: Mr. Chair, weren't there
21 empty proposal forms out on the front table?

21 MR. THOMAS: They're all gone.

22 MR. NIELSON: There's time to do this
23 by --

MS. GARZA: November 5th.

23 MR. THOMAS: I got one proposal form
24 I'm saving for myself if anybody wants to use it.

24 Any other discussion on proposals?

25 MS. GARZA: Mr. Chairman, I am asking
the Council to consider one Council proposal that
I've drafted; and it's not in Floyd's hands. It's

1 regarding Unit 1 and Unit 4, brown bear.
 Subsistence harvest -- under current regulation
 2 Subsistence harvesters may take one brown bear every
 fourth year; we have sport hunting of brown bear
 3 every year, and if Mark Jacobs were here now he
 would go on for the next hour about this issue. But
 4 the intent of the proposal is to allow brown bear to
 be taken for Subsistence purposes every other year.
 5 It's my understanding that there's no biological
 basis for the long absence of hunting between takes,
 6 that the population is sound; and it was adopted
 simply because it was a State regulation. So these
 7 are one of the regulations that I think we should
 address.

8 I had talked to Patty Phillips, who
 was in support of it. I talked to Sitka people who
 9 are in support of it. Mr. Kookesh said, I think, he
 is in support of it although he can speak for
 10 himself. There were some issues in Unit 1, and so
 it might be the intent that we bring this forward as
 11 a Council proposal; and if we need to take out parts
 of Area 1 because of road access and hunting in that
 12 area, that we would drop those areas from
 consideration.

13 MR. THOMAS: How do you want to deal
 with it?

14 MS. GARZA: Floyd's got it.

15 MR. THOMAS: What do you want to do
 with it?

16 MR. KOOKESH: Submit it next week.

17 MR. THOMAS: The reason I'm asking is
 if you can submit it and give it to Fred, Fred can
 distribute it. If there's no objection, we'll move
 forward. I'm not going to ask for upload or
 18 download. If there's an objection, then we'll deal
 with the objection. Otherwise, it will go forward.
 19 Is that good, Dolly?

20 Any other proposals? I've got a form
 here. No more, huh?

21 Okay. Tab I, C, regional charter
 review and identification of changes -- review of
 charter review and identification of changes.

22 MS. GARZA: Mr. Chairman?

23 MR. THOMAS: Dolly?

MS. GARZA: I have two suggestions,
 and first I need to ask a question of perhaps Bill.
 24 Under the charter No. 3, time necessary for Council
 activities and termination dates, says that we
 25 have -- we have to be rechartered bi-annually; and
 I'm wondering if that is Federal regulation or -- so

1 we can't change it. Just seems kind of crazy to
2 look at this every other year; but the one
3 suggestion I would make, Mr. Chair, is under duties
4 of the Council, 1, 2, 3, and 4(c) is where we have
5 anything that says matters relating to Subsistence
6 uses of fish and wildlife. I would like to add "and
7 plants," just to clarify that we are addressing
8 plant issues.

9 MR. THOMAS: This is on C, A --
10 MS. GARZA: 6, 1; 6, 2; 6, 3; and 6,
11 4(c).

12 MR. CLARK: I'd like to offer a
13 suggestion and also bounce it off our regulation
14 specialist here. Perhaps instead of adding plants
15 maybe it could be shortened to be wild renewable
16 resources in keeping with the wording that's in
17 ANILCA.

18 MR. KNAUER: I believe this wording
19 is from 805(c) in ANILCA, that the statements are
20 directly from there.

21 MR. THOMAS: Let me look at my Bible
22 here, and I'll make the determination.

23 MS. LeCORNUE: Renewable resources.
24 80.

25 MR. CLARK: 805(c), it says taking of
fish and wildlife.

MS. GARZA: So, does that prohibit us
from adding plants? I don't think so.

MR. CLARK: This is always a
difficult thing because some parts of the act it
refers to wild renewable resources, and in general
in other places it talks about fish and wildlife in
specific; and my take is that for these particular
things, since they do refer very much to -- 850 --
805 that it's particularly fish and wildlife; but I
don't think that having it listed that way would
preclude people from doing that.

MR. KNAUER: That's correct.

MS. LeCORNUE: Mr. Chairman --

MR. THOMAS: Vicki?

MS. LeCORNUE: In 803 it says, "As
used in this act the term Subsistence uses means the
customary and traditional uses by rural Alaskan
residents of wild renewable resources for direct
personal or family consumption, food, fuel,
clothing, food, transportation." That's a lot of
things.

MR. CLARK: That ends up to be a
circular definition. Taking up fish and wildlife on
public lands within the region for Subsistence uses

1 which means customary and traditional uses for rural
2 Alaskan resources so it's circular, it well could be
3 that you could have plants with no problem.

4 MS. GARZA: Perhaps this is one way
5 to test it, Mr. Chairman. We'll see; we'll add it.
6 If someone says we can't, we'll duke it out then.
7 It's the intent of this Council to work on plants,
8 and we should just say we're going to do it.

9 MR. CLARK: Let me just ask Bill if
10 you foresee any problems with using the term wild
11 renewable resources in this context.

12 MR. KNAUER: I don't know how the
13 board will react in that regard. The duties of the
14 Councils were taken, as you can tell, verbatim from
15 the duties listed in 805; and the charter, as you
16 know, is a basic guideline-type document that allows
17 this Council to operate. It does not -- it does not
18 in that area restrict Council from making
19 recommendations to Councils on plants.

20 MR. CLARK: Make a call and see who
21 salutes.

22 MR. THOMAS: I have a suggestion.
23 We've got some pretty sound direction awhile ago,
24 and you know we never really had any controversial
25 recommendations to the Board. I think it's time
26 they see what we're made of. Wild renewable
27 resources.

28 MR. ADAMS: Let's do it and let them
29 prove us wrong or something.

30 MR. THOMAS: Chairman entertains the
31 motion.

32 MS. LeCORNUE: I so move that we add
33 for uses that they be wild renewable resources.

34 MR. THOMAS: Is that in addition to
35 the language or replacement of the language?

36 MS. LeCORNUE: In addition.

37 MS. GARZA: 6, 1; 6, 2; 6, 3; 6,
38 4(c).

39 MS. LeCORNUE: I so move that we
40 change the duties to -- relating on 6, 1, matters
41 relating to Subsistence uses of wild renewable
42 resources.

43 MR. THOMAS: Here's the motion. Is
44 it seconded?

45 MS. GARZA: Seconded.

46 MR. THOMAS: Discussion?

47 MS. GARZA: Question.

48 MR. THOMAS: Question has been
49 called. All those in favor say "aye."

50 COUNCIL MEMBERS: Aye.

1 MR. THOMAS: Those opposed? Motion
carries.

2 MR. CLARK: Clarification?

3 MR. THOMAS: Fred?

4 MR. CLARK: The way I heard the
motion, I may have heard it wrong, because I can't
see the screen.

5 MR. THOMAS: Could you hear the
screen?

6 MR. CLARK: I heard the motion
referred to as 6, 1. I did not hear the motion
referred to as 6, 1; 6, 2 --

7 MR. THOMAS: We'll clarify that. We
just got the motion right now.

8 MR. SORUM: That's what she wanted,
I'm sure.

9 MS. LeCORNUE: It includes 6 --

10 MR. THOMAS: We can do further
clarification. The main thing is to get this thing
going and get it in there.

11 What are you laughing at?

12 MS. GARZA: Nothing.

13 Question has been called.

14 MR. THOMAS: We voted.

15 MS. GARZA: Okay.

16 MR. THOMAS: What question are you
calling?

17 MR. THOMAS: Anything else on the
charter? That was a good observation, Dolly.
How much time do we have for the
charter?

18 MR. CLARK: I don't know the dates on
that, Bill.

19 MR. THOMAS: Okay. If you do find
out, let us know. We may not need to know; that
might be it. That might have been our fire across
the bow.

20 MR. CLARK: We'll take this, submit
it, go up the ranks; and we'll hear back from the
board before too long.

21 MR. THOMAS: Okay. Is that it for
Tab H? Tab I(c), Section D. Election and
appointments of -- officer elections, chairman, vice
chairman, Subsistence Commission, subcommittees,
entertainment and recreation.

22 Fred, it's yours.

23 MR. CLARK: Thank you, Mr. Chairman.

24 At this time, I'd like to entertain nominations for
the position of chairman for the Council.

25 MS. GARZA: Nominate Bill Thomas.

1 MR. CLARK: Bill Thomas has been
nominated. Are there any other nominations?
2 MR. ADAMS: Move the nominations
cease.
3 MR. ANDERSON: Second.
MR. CLARK: Moved and seconded that
4 nomination for the office of chairman cease.
Hearing no objection -- help me
5 here -- how do you do that, call for unanimous --
MS. GARZA: Second.
6 MS. LeCORNU: Hereby pass a unanimous
ballot for the Council.
7 MR. CLARK: Unanimous ballot for the
office of chairman has been cast. All in -- so
8 moved?
MR. THOMAS: Once she's spoken,
9 that's it. And the unanimous takes care of it.
MR. CLARK: Very good. I yield the
10 seat to the chairman.
MR. THOMAS: I want to thank all of
11 you once again. It continues to be an honor and a
privilege to serve in this capacity and to work with
12 you people. I have put every effort I can into
being a team player and being a team leader at the
13 same time. I appreciate you folks' indulgence and
patience and all that goes with that. I really
14 appreciate that. Nominations are now open for vice
chair.
15 MS. WILSON: Mr. Chairman?
MR. THOMAS: Marilyn?
16 MS. WILSON: I nominate Dolly Garza.
MR. THOMAS: Dolly has been
17 nominated.
MS. LeCORNU: Mr. Chairman, I move
18 that nominations cease.
MR. ADAMS: Second.
19 MR. THOMAS: Moved and seconded,
madam secretary, cast unanimous ballot.
20 MS. LeCORNU: I hereby cast the
unanimous ballot for Dolly as is vice chair.
21 MR. THOMAS: Congratulations, Dolly.
MS. GARZA: Thank you, ladies and
22 gentlemen, for again supporting me as vice chair. I
appreciate it, and I hope that I continue to be of
23 service.
MR. THOMAS: Mike, we'll come back to
24 you. Where are you?
Appointment -- did -- there you are.
25 You blended in with that projector.
MR. ADAMS: Mr. Chairman, we haven't

1 elected a secretary yet.
MR. THOMAS: We're still getting to
2 that, still getting to that. Nominations are now
open for secretary. Any nominations?
3 MR. ANDERSON: I nominate Vicki
LeCornu.
4 MR. THOMAS: Vicki LeCornu has been
nominated. Second?
5 MS. WILSON: Mr. Chairman, I move
that nominations cease.
6 MR. THOMAS: Move nominations cease.
Second?
7 MS. GARZA: Second.
MR. THOMAS: Moved and seconded.
8 Madam secretary.
MS. LeCORNu: Thank you.
9 MS. LeCORNu: I hereby cast a
unanimous ballot for me.
10 MR. THOMAS: You're the only one that
can do that.
11 Okay. Appointments to Subsistence
Resource Commission, that's a new one on me.
12 MR. CLARK: We already got it.
MR. THOMAS: We already got that.
13 MR. CLARK: That's Bert.
MR. THOMAS: What about the
14 cooperative management groups?
MR. CLARK: That was like the brown
15 bear management --
MR. THOMAS: Mim is on there. Okay.
16 And Floyd. Floyd, you could work on that.
Subcommittees, you got subs.
17 MR. CLARK: If you want them, you got
them. We sometimes have subgroups that are formed.
18 MR. THOMAS: Okay.
MR. ANDERSON: The Council as a
19 whole.
MR. THOMAS: We'll mobilize them as
20 we need them.
Thank you. Mike, a thousand
21 apologies.
MR. TUREK: I'm Mike Turek with the
22 Alaska Department of Fish & Game, division of
Subsistence. I'll be very brief since it's getting
23 late, and I'm sure everybody wants to get out of
here. So Tab F has a project description of the
24 project we're working on this year. We're
continuing with our harvest survey on Prince of
25 Wales Island in the seven communities which will
complete Prince of Wales Islands for us. Those

1 seven communities are -- let's see, Coffman Cove,
2 Edna Bay, Hollis, Kasaan, Saki Bay, Thorne Bay, and
3 Whale Passage; and as we speak two of our staff Amy
4 and Brian, are down on Prince of Wales Island
5 conducting surveys. We've had a lot of cooperation
6 from the communities, and we should have a draft
7 report probably by June with that data. We're also
8 hoping to do at least Petersburg and Wrangell, those
9 communities, this winter and in February, probably.
10 And we also hope to be able to do the project that I
11 gave you another couple of pages on, a deer harvest
12 assessment that we were hoping to do last year; and
13 the funding didn't come through, and that would be
14 to do just deer hunter surveys in Ketchikan, Craig,
15 and Klawock to compare our face-to-face surveys with
16 the department's deer ticket returns; and we're
17 hoping we can do that this year in January. All of
18 these projects we've worked with the local
19 communities, the tribal councils, the city councils
20 or homeowners' associations and we hire local people
21 to help administer the surveys, and we would do the
22 same with this deer harvest survey. We have a model
23 for the deer harvest survey and the harvest seal
24 surveys we've been doing for seven years in
25 Southeast, which is a cooperative effort with the
Native communities where we use local people doing
the surveys. We've gotten very good surveys for
that. I think that's one of the models that you
could use for the new work with the Forest Service.
It's been quite successful, and it shows that you
could hire local people to do this kind of survey
work and get data from it. That's what we plan on
doing with this deer hunter survey that we would
like to do in Ketchikan, Craig, and Klawock this
winter. That's about all I have. If you'd like to
ask questions, go ahead. That's the projects we
have in the coming year.

MR. THOMAS: Thank you. In your
recruitment for getting these people to conduct
those surveys, do you have a recruitment form that
they have to identify some qualifications or
credibility that would make their findings very
usable?

MR. TUREK: What we do is we'll
usually go to the local communities, the local
tribes, the local city councils and let them know
that we'll be doing the project and ask them -- tell
them what the person will be doing, conducting these
surveys; and we ask them if they know of individuals
that would be interested and qualified, and then we

1 interview them. The qualifications, they aren't
2 very restrictive; so essentially it's a high school
3 diploma or six months of experience with Fish & Game
4 work, and we include Subsistence use as Fish & Game
5 work; so if someone doesn't have a high school
6 diploma but they've been doing Subsistence their
7 whole life, they meet the qualifications. They've
8 got to be someone who is also able to work with
9 people and be good at paperwork. There is some
10 paperwork.

11 MR. THOMAS: What's involved in a
12 survey?

13 MR. TUREK: It's a face-to-face
14 survey. The household harvest survey, I've got a
15 copy.

16 MR. THOMAS: That's okay.

17 MR. TUREK: It appears complex. When
18 you first look at it and first try it, it's quite
19 complex. After you do it a few times, most people
20 pick up on it right away. The people that do the
21 majority of the harvesting in the households that we
22 survey, the high harvesting surveys, they're
23 interested in the surveys; so it's actually not as
24 difficult to do for the people that do a lot of
25 harvesting. You get a rapport going; and it's
someone, though, that has to be interested in the
subject and will do some paperwork, and so we
haven't had a problem with finding qualified people
in the villages; so it's worked out quite well.

For the deer harvest survey, that
would be an easier survey. We ask about the one
resource, deer; so that wouldn't be as complex as
our household harvest surveys, but we don't have a
problem finding locals that can do this work, so....

18 MR. THOMAS: Questions for Mike?

19 MS. GARZA: In the past your division
20 has come to us asking for letters of support for
21 funds. Is that going to be necessary? Are you kind
22 of --

23 MR. TUREK: This year we're okay.
24 The coming -- the legislative session will be
25 another story perhaps. You never know until they
come to town.

MR. THOMAS: I was going to do a
blanket dance in Angoon. When I heard about the
appointment, I changed my mind.

24 MR. ANDERSON: Mike, what is the time
25 line on your -- before we get copies of it? How
long will it take you?

MR. TUREK: We figure we'll have a

1 draft of this survey work we're doing on Prince of
2 Wales Island by June, and we can share that with
3 you. If we do the deer survey in January, I would
4 guess it would probably be about June. We have
5 something on that too. We might be able to have
6 something roughly together for you in March for the
7 next meeting from the Prince of Wales Island. If
8 not a complete report, I can probably report on what
9 we found at that point if we run through the data.

10 MR. ANDERSON: The reason for the
11 question is in case there's any proposals that would
12 come up, it would give us time to react.

13 MR. THOMAS: That's a good point,
14 Lonnie. Since we're a region away, if something
15 comes to your attention in your hometown and you
16 feel it needs attention before a scheduled meeting,
17 get it to Fred so that he can alert the rest of us;
18 and we could do a teleconference or something to
19 address something to make sure we don't miss any
20 deadlines.

21 Mary?

22 MS. RUDOLPH: I was wondering, would
23 that be -- could a model be sent to the tribes to do
24 their hiring and funds given to them to do the local
25 hiring to do the study?

MR. TUREK: Our division has done
that in other parts of the state; and we thought
about -- we would like to do that, especially the
seal survey now. We didn't do it last year. We're
not sure if we would get the funding next year.
That was the next step we wanted to do, particularly
with the Sitka tribe, perhaps the Hoonah Tribe, and
perhaps Kake would be to ask them to take over what
we were doing. We would have a contract with them.
They would take care of the hiring and actually
administer the survey. We would be the overseer of
it. That was the next step we would like to do.
Like I say, Sitka tribe, Kake, and Hoonah would
probably be the three that would be first to do
that.

21 MR. THOMAS: Okay. Dave?

22 MR. JOHNSON: Mike, you indicated
23 that the division has actually been funded for this
24 year. Does that include the amount needed for the
25 deer use work that's on Prince of Wales and
Ketchikan?

26 MR. TUREK: No, we don't have that
money yet.

27 MR. JOHNSON: How much is that?

MR. TUREK: That's right around

1 \$50,000 for that project.

2 MS. WILSON: Mr. Chairman, is part of
3 the Federal money that's coming for this new system
4 we're getting, is it going to go -- some of it's
5 supposed to go to the State for helping to monitor;
6 and isn't this part of the monitoring system the
7 State does and the locals? When does that all
8 happen? When does the money actually get to where
9 it's supposed to?

10 MR. TUREK: That's what we'd like to
11 know. Who can answer that question?

12 MR. THOMAS: Tell us, Bill. The \$3
13 million question. How much are we going to get and
14 when?

15 MR. KNAUER: I don't know.

16 MR. THOMAS: That answered my
17 question.

18 MR. CLARK: I might just let you know
19 that there are a whole bunch of people from the
20 agencies in Washington, D.C. right now trying to
21 figure that out right now. It's important for all
22 levels all the way from people out there for
23 Subsistence.

24 MR. THOMAS: We should submit a
25 proposal and send it out to Washington.

Any more questions for Mike?

26 You are too -- too explicit in your
27 presentation, no questions. Thank you very much.

28 MR. TUREK: Thank you.

29 MR. THOMAS: Okay. We have travel
30 representative, State legislator, State
31 representative, legislators or their brothers.

32 Interest groups. Ness?

33 A SPEAKER: Thank you, Mr. Chairman,
34 I just wanted to express my personal gratitude for
35 your recognition of my Uncle Herman Kitka for his
36 service on the Council and the other service to the
37 people of Southeast. I asked Ray to sit with me
38 because he is representing ANB, and I'm sure ANB
39 will also express gratitude for your recognition.
40 Thank you.

41 MR. THOMAS: Thank you.

42 Let's hear it for Herman.

43 (Applause.)

44 MR. WILSON: On --

45 MR. LAWSON: -- on behalf of ANB, but
46 Herman's guidance will be missed. I'm sure that
47 this doesn't hinder his appearance at ANB
48 functions. He is an officer, and we do need him
49 there. Whoever -- through his guidance, whoever

1 replaces him. Herman will be there.

2 MR. THOMAS: I leave him in your
3 hands to take care of him and make sure he's all
4 right. If anything happens to him, you guys are
5 going to be accountable to me, okay? Did you not
6 understand any part of that?

7 Okay. Any other interest groups?
8 Seiners' Association, come forward.

9 MR. BEDFORD: My name is David
10 Bedford, B-e-d-f-o-r-d. I'm going to trim off a
11 fair part of what I was going to say because I
12 recognize the hour is getting late; and, frankly,
13 I'm not the brightest bulb on the Christmas tree
14 right now myself.

15 I wanted to say that Southeast Seiner
16 has supported Subsistence all through the
17 difficulties that we had in the process. I'm not
18 going to try to recount that. I want to say
19 something about the rationale for why we did that.
20 First off, many seiners live in the rural areas here
21 in areas of the Southeast. Deckhands, they're
22 Subsistence users themselves; and we've thought
23 about the notion of Subsistence and recognize this
24 is something of crucial importance to people in the
25 State; and in trying to craft our policies in the
past, we've thought that the record came up with a
reasonable way of trying to establish the
regulations on Subsistence. In the wake of the
Legislature's file are you to do the right thing on
this? I believe that was a shameful moment in this
State's history, and I'm sorry that it happened; but
there was nothing that we could do. We haven't had
really an opportunity to revisit our policies
because it's been oriented up to now in trying to
get the State to adopt a constitutional amendment
and necessary statutes to comply with ANILCA. But I
do want to say that we place a great deal of
importance on what's going on here. I've been
working on the Legislative program with the national
legislature. It's been the largest thing I've been
dealing with for the last eight months. Today there
is a hearing in the House that I'm not participating
in. This is a crucial time for that agenda. I'm
here instead of being in Washington, D.C. because I
feel that what's happening here is of greater
importance. I came here without any preconceptions
on what is going to be taking place. I have not
participated in the process up to now. I didn't
know anything about it. I came here to learn. I've
had an opportunity to talk with you a little bit

1 along the way, but I just wanted to offer a couple
2 of observations from the perspective of the folks
3 that I represent. I'm not a policymaker. I'm the
4 executive director of the association. As I say,
5 they haven't had a chance to really revisit the
6 policy and rush out and figure out where they want
7 to go from here. This has been quite an experience
8 to here. I've had an opportunity to hear an awful
9 lot of people to provide their views on what they
10 think of the Federal process, how they view the
11 State process when that was the -- this whole
12 fisheries authority for Subsistence. And I heard a
13 good deal of testimony by people who said that they
14 felt that there was a failure in the State process
15 to adequately provide for Subsistence. That
16 concerns me, and I have to admit on my own part that
17 the involvement with the Board of Fisheries has been
18 passive; and I don't have any personal familiarity
19 with those things. I do know that the folks that I
20 represent who have worked within the Board of
21 Fisheries process for a long time understand that
22 process, have had their oxen gored on numerous
23 occasions, and basically recognize how it works.
24 This process is very new, and I'm going to have to
25 go back to them and talk to them about it and try to
provide my impressions on this; but, I guess, at
this point, what I saw while I was here is I see a
fairly remarkable degree of cooperation between the
Federal agencies and the tribes, and I think that
this bodes very well for an awful lot of folks in
Southeast Alaska. I don't yet see where we fit in
here. This is something as time goes on we will
continue to participate and continue to explore this
and try to discover what sort of a place we might
have here.

I wanted to come -- people have
commented on specific issues that are of particular
import; so I want to raise one that will be, as time
goes on, one which we think is of crucial importance
to us in providing for the Subsistence priority. We
recognize that the fisheries, the commercial
fisheries that occur here in Southeast Alaska, and
that's not really the seine fishery, the whole
fishery and the gillnet fisheries are, generally
speaking, mixed-stock fisheries which occur out in
front of the Subsistence harvests. There's a
potential for conflict that will arise there.
That's something we're keeping an eye on and talking
with you folks. As time goes, we want to find a way
to minimize those sorts of conflicts.

1 You folks have mentioned on a couple
2 of occasions the per average case; we don't have a
3 policy as such on per average. We're not parties to
4 the case; but -- but building from the first two
5 things that also I raised there, one, knowledge and
6 comfort for the board of fisheries process and our
7 lack of knowledge with this process, and on the
8 potential conflict between mixed-stock fisheries
9 internal areas and Subsistence fisheries, it's going
10 to be very difficult for us to support at this point
11 an extension of jurisdiction in the marine
12 wildlife. I raise that to let you folks know the
13 perspective that we have as others have been so
14 forthcoming in providing their perspectives. I
15 don't have anything else other than to say that,
16 just an opportunity to comment.

17 MR. THOMAS: I appreciate your
18 candor, and I appreciate your prioritizing this with
19 the conflict; and certainly there's going to have to
20 be a cooperative interaction between user groups as
21 we go along, and you can't have proper management
22 without that interaction; and that's the key to
23 avoiding conflict, proper management.

24 Dolly?

25 MS. GARZA: I also very much
26 appreciate your comments. I'm a niece of many
27 uncles who are seiners, Joel Demrapy being one of
28 them. I think there are many ways that we as an
29 organization can help when we listen to Cal. If we
30 can get your support in getting stock enhancement or
31 habitat enhancement on some of these smaller streams
32 that have significant Subsistence importance, I
33 think that would be valuable. I only breezed over,
34 but I think I read an article where basically you
35 guys told Robin Taylor, "We support Subsistence";
36 and I had not read that before, and it's about time
37 that all of the seiners in Southeast understand that
38 we don't have the kind of conflicts that may occur
39 in other areas, and we may not be able to speak for
40 the other areas; but we can say in these areas these
41 are the things that we can do together, because in
42 rural Southeast commercial fishing was it; and so we
43 don't speak against our trawlers and our seiners and
44 the gill netters, and we hope that they won't speak
45 against us. We're trying to accommodate both. We
46 know that to keep the houses going in this
47 community, we would like to have more seiners and
48 more trawlers here; so it's certainly not our intent
49 to shut down commercial fishing, but it's certainly
50 our first intent to make sure that we have

1 Subsistence rights; and I hope you've understood
2 from the last two days how important it is not just
3 in putting that fish on the table, but in
4 maintaining the culture from when that beaver prow
5 was inadvertently taken away to when it was properly
6 brought back. It's those types of cultural
7 activities that we hope that I can help other people
8 see that that is part of maintaining who we are;
9 whether or not we're the Natives in a rural
10 community or non-Natives, they have those types of
11 cultural activities and ways of life to their rural
12 community that they're desperately clinging to.

13 A SPEAKER: Thank you very much. I
14 had a conversation with Lieutenant Governor Ulner.
15 She inadvertently appointed me to be the
16 spokesperson for UFA and had gotten around to do
17 it. In that conversation with her, I said it was
18 incomprehensible to me that there seemed to be
19 people in the Legislature who were unable to grasp
20 the importance of Subsistence. Understand, I speak
21 as an outsider on that myself, although I have
22 observed the importance of it in certain areas; and,
23 yes, I certainly take that message back.
24 Subsistence is not merely an economic activity. I
25 understand.

MS. GARZA: One other quick point is
14 just to let you know, I have attended several of the
15 special sessions; and the UFA almost singlehandedly
16 in the second session -- we were one vote away, and
17 UFA really spoke against Subsistence; and we found
18 out that the whole board had not met; and if the
19 whole board had met, that they would have not taken
20 that position; but if you go back to the old
21 records, there's a lot of people that have some
22 animosity toward UFA because of that.

A SPEAKER: I appreciate that
19 comment. My own participation with UFA is only in
20 the last year and a half. I can tell you the
21 commitment is -- and over that entire period have
22 been thoroughly behind seeing ANILCA flourish.

21 MR. THOMAS: Thank you very much.

A SPEAKER: Mr. Chairman, thank you.

22 Ladies and gentlemen, we're winding
23 down. As a matter of practice, ever since we began
24 we give anybody that's attended these meetings an
25 opportunity to speak about their perspectives of the
Council and what you feel about the Council. If
you've got any objections or any comments at all,
you're welcome to share them. Observations, just to
speak your mind, just don't upset the chairman.

1 Right now I've got it broken into
2 categories, public, agency, staff and Council
3 members relax. So if you're public and got anything
4 to say, we'll be happy to hear you.

5 MR. McCLUSKEY: Gun nux cheesh --
6 Pete E. McCluskey, M-c-C-l-u-s-k-e-y.

7 First off, I'd like to congratulate
8 Mr. Thomas on his position as chairman, Dolly as
9 vice chair, and Vicki, and Council for the Federal
10 Subsistence.

11 It was to my surprise when I heard
12 that the Council existed. The only ones that I knew
13 about is when I first got involved with ANB and then
14 going to a convention. The only one I heard about
15 was Mr. Martin. I sat on the committee with him and
16 with Marilyn, and it's pleasing to know that there
17 are more people involved that are fighting with us;
18 and I appreciate the Council for doing that. It
19 shows a lot when people like you will spend a lot of
20 time away from your home to come to a community to
21 show your support for rights that we're trying to
22 keep within ourselves.

23 I hope you enjoyed your stay here in
24 the community of Angoon. I always refer to Angoon
25 as the capital of admiralty.

26 In getting back into working as far
27 as government-to-government relationship, I've also
28 enjoyed -- back within the last year, Vivian Hoffman
29 has come to Angoon. I think everybody has known
30 about the special use permits on putting up
31 memorials, and I was very pleased when Vivian
32 Hoffman came to Angoon on that -- Vivian Hoffman
33 came to Angoon; and she was asking how should we
34 manage our lands people get the wrong perception.
35 When they don't hear the whole story, you can't sit
36 in front of people in the Council or anything. It
37 all comes under public education and communication.
38 If we're not reading out of the same book, we don't
39 know the story. But I've heard a lot about
40 Subsistence in my lifetime growing up. Alaska's
41 natural food resources have provided rich and
42 nourishing meals as well as shelter and clothing to
43 Native Alaskans for thousands of years. Subsistence
44 should not be seen merely as an issue of Fish & Game
45 management because it is not principally about
46 animals, their habitat, or their scientific
47 management by public agencies. Subsistence is
48 primarily about people. Subsistence is not
49 poverty. It is about wealth. This wealth is
50 expressed in the harvest and in the sharing and

1 celebration that result from the harvest. I noticed
2 Mr. Chairman's fish. I think if he stays another
3 day, by tomorrow there will be a third one. You're
4 spawning.

5 But, again, I do appreciate very much
6 the Council for coming here and am glad to know that
7 we aren't alone in issues that we are facing today.

8 And just in closing, united we stand;
9 divided we fall.

10 Gun nux cheesh.

11 MR. THOMAS: I want to thank Pete for
12 the invitation, for his personal involvement in
13 working to make sure this came off good; and I know
14 he had a leadership role in this, and he got people
15 to cooperate; and I appreciate the community for
16 supporting him in his efforts. I applaud him for
17 being a young man with wisdom and the vision that he
18 has. I think he's going to be a good
19 representative. I never heard of Angoon until I got
20 the invitation, and so --

21 (Laughter.)

22 MR. THOMAS: I'm really glad we came
23 here. So let's hear it for Pete.

24 (Applause.)

25 MR. KOOKESH: We never heard of you
either.

(Laughter.)

MR. ANDERSON: Who hasn't heard of
Bill.

MR. THOMAS: Okay, that does it.
That's it for the public. Anyone else from the
public would like to comment?

Okay. Agencies?

Dave?

MR. JOHNSON: I'll be very brief,
Mr. Chairman. I just want to say thanks again to
the community of Angoon for inviting us all here and
for the special time that we've had in the culture,
the food, the people, the stories. All of it, I
think relates to what we're about here with one
sentence. I want to express appreciation to the
Council for this past year for the people that have
provided me with information and issues that related
to things that were important to the Council; and
the only point I'll make is that when we get the
transcript of the proceedings, I can't tell you
what's going to happen on the Tongass; but I can
tell you what I'm going to do; and I'm going to sit
down with Tom Hoopstra, who is the forest
supervisor. If I need to read it to him line by

1 line, I will do that. I will make it a point that
2 he at least sees what the issues are that are
important to this Council. Thank you.

MR. THOMAS: Thank you, Dave.

3 Clarence?

MR. SUMMERS: Certainly.

4 Council members and residents of
Angoon, I, too, want to thank, first, the residents
5 of Angoon for the hospitality. I'll make a special
point to pass along to my superiors the gracious
6 meetings that I've had individually on the street
and in the community and at this meeting. I will
7 carry this memory back to our regional director to
make a personal point of letting him know that you
8 are a Subsistence community that is open to Federal
employees like myself so that we can come here and
9 feel like we're part of the Subsistence life. I
want to especially say to the Council that I'm
10 looking forward to working with Bert as a new member
on the Wrangell/St. Elias Subsistence Resource
11 Commission; and I can think of -- oh, boy, it was
back in 1980 when I first met Bert and his family;
12 and so I'm looking forward to continuing our
relationship and hopefully making the Park Service
13 Subsistence Management Program a better situation
for all.

14 And thank you, Council members. I
certainly look forward to the next meeting in
15 Douglas so that we can continue this relationship.
Thank you again.

16 MR. THOMAS: Thank you.

Anymore agents --

17 Mike?

MR. TUREK: I, too, would like to
18 thank the community of Angoon and the Council. This
was a wonderful meeting, and it's a great time to be
19 here, I'll keep this very brief too. I look forward
to continuing working with the Council and look
20 forward to seeing you in Douglas in March. Thank
you.

21 MR. THOMAS: Thank you.

22 MS. GARZA: Just a quick comment to
Mike. If you find that you do need a letter of
support, please let us know.

23 MR. TUREK: Thank you.

MR. THOMAS: Bill?

24 MR. KNAUER: I too, wish to thank the
community of Angoon; and I've enjoyed my continued
25 relationship with the Regional Council here. We've
gone back a long ways. Now you even have my e-mail

1 address on the various things; and I hope, if there
2 are any questions, you'll feel free to either drop
me an electronic line or give me a call. I'm always
at your service. Thank you.

3 MR. THOMAS: Thank you.

How about an electric line?

4 MS. GARZA: We have a question for
you now.

5 MR. ADAMS: Dolly asked me to ask
this question. You know the ANB convention starts,
6 I think, the 8th of November; and she wanted me to
ask you if the ANB convention can send late
7 proposals by November 12th.

MR. KNAUER: This question has arisen
8 in past years; and we have moved the proposal
deadline date which previously was about the 23rd,
9 24th of October, we have moved it to the 5th of
November; and at this point I don't see how we can
10 move it any later and still allow adequate time for
the biologists, anthropologists, and folks to
11 analyze the proposals so that you have adequate
information to consider the proposals. Depending
12 upon the individual circumstance, we'd have to
examine that, but....

13 MS. GARZA: So the process would be
to get them in by the November 5th deadline to get
14 ANB support for the proposals at the convention?

MR. THOMAS: The date will be the
15 5th. The postmark may be a couple of days after
that.

16 Okay. Anymore agencies, staff
people? Agencies? Now we're at the staff. Fred?
17 Any staff?

MR. CLARK: Yeah. In putting
18 together a meeting like this is -- it took a lot of
information, thought, and activities; and when I
19 first heard about we're going to meet in Angoon, I
said, "How the hell are we going to pull that off?"

20 But I got to tell you that working
with the people of Angoon, working with the people
21 like Peter and Matt Kookesh and Floyd Kookesh.

MR. THOMAS: Al Kookesh.

22 MR. CLARK: And Albert Kookesh, the
names go on and on and on. It made my job so much
23 easier and smoother, and a number of things that
came together and meshed was just like a small
24 miracle in and of itself. I wanted to thank you
very much for the experience and for the opportunity
25 to come to Angoon and to be with the Council here in
Angoon.

1 To the Council, I'd just like to say
2 that -- well, there are some faces that are missing;
3 and we're going to miss them, John Vale from
4 Yakutat, Gabe George from Angoon, Jeff Nickerson,
5 Fred Klawock; but now we've got -- and Herman, of
6 course, Herman. But now we've got Bert, got Floyd,
7 we got Millie; and the mix is really wonderful. You
8 guys just fit right in so well. I think that we
9 need to spend -- send some special kudos to John
10 Vale for his good work, but I'm sure that Bert will
11 do a wonderful job and work as the liaison between
12 the Council and the SRC.

13 I wanted to thank all the people
14 behind the scenes who helped get everything together
15 to make this meeting the success that it was and
16 continues to be. People in the agencies, people in
17 the communities, people from the tribes, and I won't
18 go down the list of names and -- and people who are
19 working -- still working here -- our court reporter,
20 Sandra, and Karen. They both have been a great help
21 throughout the whole time.

22 MR. THOMAS: Thank you.

23 That will do it for staff people from
24 agencies?

25 MR. CASIPIT: I just wanted to say
26 one thing. Fred and I share a real small space in
27 the corner of our office up there in Juneau, and
28 over the past few weeks I heard Fred on the phone
29 quite a bit trying to coordinate this and get this
30 meeting together; and I think Fred deserves a round
31 of applause for everything he's done.

32 (Applause.)

33 MR. CLARK: Thank you, Cal --

34 MS. LAUBENSTEIN: I wanted to share,
35 too, when Fred was doing all this for Angoon, he had
36 the office going; and I didn't know -- we never had
37 a coordinator do this before, and we've never heard
38 of doing this. There was quite of bit of that going
39 on. He broke a lot of new ground. I really applaud
40 him for it.

41 MR. THOMAS: And he breaks hearts
42 along the way. I guess that covers our staff,
43 public. Okay? Council, starting with Vicki.

44 MS. LeCORNU: I don't want to go on
45 too long, but I know there's one thing we did
46 neglect; and it's on recognizing customary trade
47 practices. If you'll read in your booklet here,
48 they'll say that neither legislative history or
49 regulations provide significant commercial
50 enterprise and allow a level -- and/or and allow a

1 level of customary trade. However, this has been a
2 topic of judicial findings; and I'd like to see that
included in our information for definitions.

3 It has been in court several times.
4 Kenaitze spoke to that, I believe. They want us to
define these terms, and a lot of them are already
5 defined in here; and we come back around, and we
come down to the bottom; and then we said, first,
6 Subsistence food or parts can be considered for any
use of the above; that is, commercial, customary
7 trades, barter trades. It must first be taken for
Subsistence purposes. Those are Subsistence
8 purposes, so that's kind of a roundabout way of
getting out of including those as Subsistence uses,
9 and I just wanted to make my own clarification
there; because I don't think we've dealt with it
adequately, but maybe we can get to it at another
10 time; but as far as business, I'll leave it there;
and I want to thank the people of Angoon too. I
really enjoyed myself, and I feel real privileged to
11 have been part of it; and I thank you.

MR. THOMAS: Mary?

12 MS. RUDOLPH: I also wanted to thank
the people of Angoon to be part of the celebration
13 they did. My grandfather originated from Angoon,
and he died a year after the fire; and he was always
14 a real adamant Subsistence user, and we used to move
from our home in Hoonah to the smokehouses with
15 different families and put up our food. So, when I
came back -- when I came here for the first time, I
16 understood why my mother always felt she came to her
father's land when she came here. She was always
17 embraced by the people of Angoon, and I kind of had
a rough day today; but I still felt close to my
18 grandfather because he was close to me before he
died; so I just wanted to be real thankful for being
19 part of the celebration that went on, remembering my
grandfather and being with this group during my
20 rough day today. I think about everyone who
embraced me today and helped me get through the day,
21 so I appreciate all of you. You're all loved by me,
and I hope you all make it home safely; and, again,
22 I want to thank the people of Angoon for such a
beautiful, beautiful, reception we got from them.
23 He's been embracing us from the time we got here,
and I think that's so wonderful; and, again, thank
24 you for being a part of this group.

MR. THOMAS: Alan?

25 MR. SORUM: Same thing for me. I'd
like to thank the people of Angoon. It was

1 certainly the most special thing that I can recall
2 being involved with and the treatment and the way --
3 the hospitality has been great. I want to thank
4 Fred and Dave. They've been real good to work with
5 through this whole experience, and I'm glad the
6 Council was able to put up with me for the time I
7 was here. It was a good experience and thank you.
8 Thank you, Millie.

9 MS. STEVENS: Thank you,
10 Mr. Chairman. I, too, would like to thank the
11 village of Angoon for opening not only their arms,
12 but their hearts to us -- with me I'm such a busy
13 person that I'm always in the fast lane; and I
14 always forget -- I don't really forget who I am; I
15 will never forget who I am, but I get so wrapped up
16 in my busy world that coming back to Angoon brought
17 me back down; and that's a wonderful, wonderful
18 feeling is having the open heart, the welcoming that
19 we received; and I just want you to know, Council,
20 we missed our two-hour feeding; and I'm thankful
21 Angoon didn't weigh us before we got here and weigh
22 us after we leave. It's good to be back on the
23 Council. I was really apprehensive because of -- I
24 come from a community that is no longer considered a
25 Native village, and a lot of our non-Native brothers
and sisters are very concerned about the Federal
takeover. They feel that it's going to have a large
impact on their commercial fisheries, and it
frightened me knowing that whatever I say or do or
whatever action this Council takes is going to have
a big impact on other user groups; but I feel after
being here and listening, I feel a lot more
comfortable in my position, and I'm not as -- as
nervous and apprehensive as I was prior to getting
here, and I do look forward to the new millennium
and what the Federal Subsistence Board stands for
and that we all focus on the same positive goals.
Thank you, Mr. Chairman.

MR. THOMAS: Thank you.

MR. KOOKESH: I'd like to thank the
Council for coming to Angoon. I want you to know
that we really appreciate it. One of the things
I've always noted the was that when the Council was
never here we've always -- felt like we were always
standing still on the Subsistence issue, and this --
having this function in Angoon has made our
community more enlightened and more aware; and I'm
sure, like you said as the new millennium comes, I
think we're taking that first good step; and I
really appreciate the fact that you held your

1 meeting here. We really do appreciate it.

2 One of the things that affected me
3 the most when I became a member was all of a sudden
4 I had all this material in front of me I said, "I'm
5 supposed to read all of that by when?"

6 MR. CLARK: Especially the privileged
7 stuff.

8 MR. KOOKESH: I tried to read that
9 too by the way. The material I got was
10 overwhelming, and I know I had a lot -- have a lot
11 of work to go through. It wasn't sent to me to use
12 for fire starter for my wood stove yet. I know I
13 have to read it, and I will. One of the other
14 things I have also noticed as a new member is that I
15 do appreciate is I happened to see -- to me a wealth
16 of information sitting here by me, and I think
17 that's very important; and I think this can be a
18 very successful group because we have all this
19 valuable -- all this wealth of knowledge, I call it,
20 sitting here; and I think that's important.

21 And one of the things, the most
22 important thing I think that I've noticed of all is
23 that we have a chairman here who I think is --
24 represents us very well on the issues, and I know he
25 can do the job. Just from the time I've met him, I
26 know we have the right person here.

27 One of the things that I really
28 respect and appreciate it reminding us that Title
29 VIII is very important, and a month ago I wouldn't
30 have known that. All I knew is that Subsistence was
31 uphill, and to know that we have to stop and read
32 Title VIII and get our act together from that point
33 on. That's why I really appreciate this function
34 coming to our community, because we've become
35 enlightened; and I really appreciate that.

36 I know that I have -- just from
37 listening, I know that I believe that if -- one
38 thing I took from this meeting that I'm kind of
39 affected by is the community sitting out there
40 wanting to be recognized as rural, and us sitting
41 here and hearing that we're urban and can't
42 recognize them. I hope we can get to the point of
43 where we can make this community be recognized as
44 rural because they are; the people are. The
45 community, may be urban, but the people are rural.
46 And I do appreciate this.

47 Thank you.

48 MR. THOMAS: Thank you. Real rural.
49 Lonnie?

50 MR. ANDERSON: I was waiting to get

1 all of the stories and then cap it off; but, first
2 of all, I'd like to thank Angoon for inviting this
3 Council here. I think this is one of the better
4 meetings that we have had, and I also appreciate the
5 cultural enlightenment. I think that was an
6 experience that is beyond description. When I go
7 back and talk to the wife about all of the regalia
8 and things of that nature, she will be sorry that
9 she didn't come over.

10 The people of Angoon have really gone
11 all out to welcome us, Peter and all of the young
12 guys. I was impressed by the number of young people
13 that were involved in the ceremonies. I felt that
14 was what we were working for. I think that
15 traditionally we are preparing people to take our
16 place. It looks like Angoon has done an excellent
17 job in preparing to continue their cultural growth
18 down the line.

19 Again, I would like to thank Fred for
20 being understanding. I realize the Council is
21 scattered out, and I would guess -- I know why he
22 has no hair. He pulled them out trying to get in
23 touch with all of the Council, and the other thing I
24 would feel -- if you get anymore jokes that I can
25 spring on the chair, send them down; I appreciate
it. I think that was sort of a highlight of the
entanglement we had.

(Laughter.)

15 MR. ANDERSON: Anyway, and Bill, to
16 the other Bill, I'll tell you what, I look up to my
17 protege here with respect; and we're going to keep
18 him around a long, long time. Thank you.

17 MR. THOMAS: Five minutes, while
18 Lonnie and I go outside.

18 Thank you, Lonnie.

Marilyn, be nicer.

19 MS. WILSON: I also want to thank
20 Angoon. This is where my father was from; so I was
21 really pleased, proud to come in with the prow, this
22 historical moment. And I can't believe I was part
23 of this, and it was wonderful. Like Lonnie says, to
24 see all the young people, our future.

22 I couldn't believe all of the wise
23 people here from Angoon that spoke. They spoke so
24 well, and they explained everything; and they
25 just -- they're just very wise, and I'm glad I'm
from Angoon; so I must be wise too.

MR. ANDERSON: Shall we take a vote
on that?

(Laughter.)

1 MS. WILSON: Also, this Council has
2 been a joy to work with. We all try to put in our
3 two cents and gather and think back on all of the
4 things that's in our head and that we need. In
5 other words, we learn from our mistakes of the past
6 and learn how we can all work together, and thank
7 you.

8 MR. THOMAS: Thank you, Marilyn.
9 Bert?

10 MR. ADAMS: Thank you, Mr. Chairman.
11 Just a matter of interest. You know a lot of good
12 comments have been made about our Chairman, and I
13 just want to echo everything. Him and I go back a
14 long ways. I don't think we emphasized enough that
15 he used to be the chairman of the fisheries of the
16 Grand Camp of the Alaska Native Brotherhood, and I
17 served with him on that committee for a couple of
18 times. We did some monumental things there, lots;
19 but one of the important things I remember doing is
20 that the fisheries committee of the ANB was
21 instrumental in making sure that a new governor who
22 just got elected into office, you know, appointed
23 the right person in the commission in the Fish &
24 Game Department as a commissioner. He headed that.
25 A lot of other things too that, you know, we never
even had a chance to sit down and reminisce about;
and I hold him highly and respect him for the
leadership that he has provided in this forum. In
the Alaska Native Brotherhood I got a real
impression working there -- you've heard that
commercial about E. F. Hutton, "When E. F. Hutton
speaks, people listen."

Well, when the fisheries committee of
the Alaska Native Brotherhood, Grand Camp, people
like E. F. Hutton listen. I feel that way about
this forum, this commission; because what I have
learned the last couple days has really made me
aware of a lot of things that we need to try to
resolve, and we can influence a lot of communities
to be more participating in these things. One of
the things that I've heard over and over again --
and I think it was from Peter McCluskey over
there -- is that we need to have
government-to-government relationships with tribes.
That has already been established; but I sat and
listened to Wayne and Mary talk about their problems
with the Glacier Bay area and the relationship that
they were trying to develop, you know, with the
Hoonah people. I found that that's a real good
example of sticking together and making things

1 happen. And no matter how we might feel, I know a
2 lot of people have a lot of animosity against the
3 Feds; and now that they're taking over fisheries, I
4 think we really, really need to open the door to the
5 possibilities of working real closely with them; and
6 I think the -- even though Clinton has signed this
7 directive that all Federal agencies have to work
8 with tribal governments on a government-to-
9 government relationship, I think one way that these
10 doors can be opened just a little bit wider is for
11 tribes and people like the Forest Service and
12 National Park Service and U.S. Fish & Wildlife
13 Services is to enter into those memorandums of
14 understandings with them. And I think that even
15 that since Governor Knowles has committed himself to
16 recognizing tribes in Alaska, that tribes could even
17 enter MOUs with the State; and this will help, you
18 know, develop even though we might not feel right
19 about it at the beginning. It's really going to
20 open a lot of doors where agencies, whether they're
21 Federal or State, can work with the right people in
22 dealing with this issue of Subsistence. I
23 appreciate you being here, Mr. Bedford. I sat here
24 and listened to you a couple of times; and one of
25 the things that I would share with you at this
point, something that I try to do all the time, and
I think it's a real good policy is to seek to
understand as well as be understood; and once that
happens, then things -- the doors will be open for
possibilities to sit down and work constructively
together.

I would like to see this Council
really push all tribal governments who do not have
MOUs with the Forest Service, National Park Services
or other Federal agencies to do so. I think we can
influence a lot of tribes to do that, and I know
there's probably only a few. I know maybe just four
that has MOUs with the Forest Service at this
point. I know Angoon does; Sitka tribe does. I
think KIC has one and Yakutat, and Hoonah -- Hoonah
also has one. There are 19 tribes, recognized
tribes in Southeast Alaska; and those are going to
be important instruments, you know, to help us open
up the doors for better relationships so that our
Subsistence lifestyle can be preserved and taken
care of.

Again, I look forward to working with
Council. I appreciate your confidence in having me
appointed to the Subsistence Resource Commission. I
look forward to working with Mr. Summers in the

1 future about that, and I'm going to sure bend John
2 Vale's ear, you know, on all of the issues that we
3 have talked about over the years here and his
4 involvement with the Resource Commission as well.
5 Thank you again, Angoon, for your welcome; and I
6 echo everything, you know, that everyone has said
7 about it. It's been a great experience for me.

Thank you, Mr. Chairman.

8 MR. THOMAS: Thank you, Bert.
9 Dolly?

10 MS. GARZA: Also I would like to
11 thank Angoon. I think it humbled us all to be part
12 of a process that may bring some healing to your
13 community after such a horrible and devastating
14 event that you survived as a people. Subsistence in
15 itself has become one of those horrible and
16 devastating events that we are working on in a
17 healing way now, I think, through this Council
18 process. It has divided the state, but we have
19 people like David here. We know that some of the
20 healing has started as people understand that what
21 we are asking for is so little compared to what is
22 being taken and what has been used in this state.

I would like to thank the staff.

23 Fred, I'm glad that you're back, although we were
24 certainly glad to have Dave who has done such an
25 excellent job for us; and thank you two for being
here and for helping us. Our meetings go flawless.
We turn around, and we kind of snap our fingers; and
we expect things, and we get them; and that's
because of your excellent work, and it doesn't go
unnoticed; we certainly do appreciate it. We know
that we ask a lot.

I have to once again state how
impatient that I am, especially speaking from Sitka
that we need to extend our Subsistence protections
to fisheries since so much of our Subsistence is
fisheries based, that we have to keep reaching out;
and we have to protect those rights what we have
reached out for sockeye. In Kake they had talked
about how hard they had to work to get the measly
ten sockeye; it's incredible. Those are the types
of things we need to be addressing. We have an
opportunity now to correct things that were wrong in
the State policy, to establish processes and
policies that will benefit Subsistence and villages;
and I hope the agencies will continue to work with
us on those activities.

25 It was interesting because when I
went to the dinner the first night, i.e., and they

1 had talked about and we'll have our young men doing
2 this. All the young men they had talked about had
3 gray hair. I said, "Gee, I never saw a young man
4 that was older than me."

5 I think it demonstrates your
6 community, that you have Elders that have gray hair;
7 and they are still young and are still listening to
8 the Elders. That's so important and that's so good
9 to see.

10 Just one last question is that at the
11 board of fisheries meeting in January, herring will
12 be a big issue; and Sitka is hoping that Southeast
13 will be there in force, because commercial is
14 attempting to really whittle away at our Subsistence
15 take of herring spawn and kelp as well as branching
16 out by taking away some areas of ours; and we know
17 that all of you eat our herring, and we hope that
18 you will stand behind Sitka come January because we
19 will need your support then.

20 Thank you.

21 MR. THOMAS: Thank you, Dolly.
22 I appreciate all the comments that
23 have been said and all the acknowledgments. This
24 turned out to be more than just a trip for me. It
25 started off kind of awkward. When I got down to the
boat in Angoon, I couldn't find the bow. I didn't
know which way to sit on the boat so I came to
Angoon backwards.

26 (Laughter.)

27 MR. THOMAS: I didn't get to see the
28 front until they invited me up on the bridge to
29 bring the ship in; then I realized where the bow is,
30 but it's exciting on there. You can feel the
31 excitement from the dancers that were aboard ship,
32 the representatives from Angoon with the prow; and I
33 didn't have a lot of history about the prow until
34 recent days; I'd get mentions here and there. I
35 didn't know about it years ago before it was ever
36 located again; and the news of the bombing of Angoon
37 was so prevalent several years ago, I think
38 everybody felt the pain and the anguish from that
39 time just trying to imagine the circumstances that
40 existed here at the time and what the odds were
41 against those forces. And it gives us a sense of
42 appreciation of the -- of the desire to survive and
43 to survive with dignity like you folks have. That's
44 really been a testimonial, anyway; and the strong
45 cultural fabric that you folks maintain in your
46 song, your dance, your language, the little guys out
47 there performing, it's just remarkable to see. And

1 it sets a good example on its own for a lot of us.

2 And I mean, like for your mayor -- he
3 should have been up there dancing; but the
4 hospitality, again, was unparalleled. The
5 recognition of our Council being in town showed some
6 real sincere hospitality, and we appreciate that.
7 We're not used to being treated like that. We're
8 used to being treated like the Forest Service.

9 (Laughter.)

10 But, anyway, our humble thank you to
11 you. We're proud of you, and keep going the course
12 you're going. If you get discouraged, get
13 discouraged; but get over it, get over it, and keep
14 on trucking, you know. That's what it's going to
15 take. God bless you in your efforts.

16 To the agencies that have been
17 hanging in here with us over the years, this is a
18 far cry from our first meeting. It took us a little
19 while to get over our -- we couldn't even co-exist
20 for several meetings anyway. I can remember when
21 Schroeder was real -- Schroeder was really a bad
22 guy -- Schroeder was really a bad guy.

23 MR. ANDERSON: Is he a good one now?

24 MR. THOMAS: And so I think it would
25 make us allies. They used to be compadres, but we
26 appreciate all of you here. Mr. Seiner, for your
27 attendance, your kind remarks. We certainly do
28 appreciate those. We do hope that a greater
29 understanding will develop from this. I think
30 you'll understand -- most of us are seiners. Again,
31 the staff for putting together the information like
32 Dolly alluded to earlier, the books. All we have to
33 do is turn to tabs. What would we do without tabs?
34 If it wasn't for the blue color, we wouldn't find
35 them. You guys take all our imagination away from
36 us, almost all of our imagination.

37 Everybody here, we just have to
38 appreciate individual talents.

39 With the comment from Bert and us
40 encouraging tribes to get involved, we need to be
41 careful with that because ANILCA is not Indian
42 legislation. Specific to mention tribal members and
43 nontribal members, so we have to be careful there in
44 how we approach communities with different issues.

45 I want to thank Dolly for her
46 nomination. I want to thank the Council for their
47 vote of confidence.

48 I put a lot of effort into
49 representing this Council at the board meetings, and
50 the Board has been very gracious to this Council.

1 They paid special recognition to the works of the
2 Council. We give them -- I think with what we bring
3 them, it's less cumbersome than what they get from
4 other regions. So, you folks need to feel good
5 about that; because when you send me up there with a
6 message is very clear; and there's nothing left to
7 the imagination. Every once in a while they try to
8 get creative, but they got those three things they
9 got to satisfy in order to say "no"; and so you
10 folks are doing a good job.

11 With that, thank everybody for a
12 wonderful meeting -- Don, sorry about gypping you
13 the other day, you know. It's the first one that's
14 been gypped in our history.

15 I thank all of you, and have a safe
16 trip home.

17 MS. GARZA: Move to adjourn.

18 MR. ANDERSON: Second motion.

19 MR. THOMAS: We're adjourned.

20 (Applause.)

21 (Time noted 7:15 p.m.)

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1 I, Sandra M. Mierop, Court Reporter, hereby
2 certify that the foregoing pages comprise a true,
3 complete, and correct transcript of the proceedings
4 had.

5
6 WITNESS MY HAND this the 5th day of
7 November, 1999.

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Sandra M. Mierop
Court Reporter

